



Report to the Plan Commission

February 20, 2012

Legistar ID #24620 & 25091

6002 Cottage Grove Road, 5901-5939

Sharpsburg Drive and 857 Jupiter Drive et al

PUD Rezoning | Preliminary Plat

Report Prepared By:
Timothy M. Parks, Planner,
With Assistance From Other
Planning Division Staff

Requested Actions:

- ID 24620 – Approval of a request to rezone properties generally addressed as 6002 Cottage Grove Road, 5901-5939 Sharpsburg Drive and 857 Jupiter Drive from Temp. A (Agriculture District), Planned Unit Development-General Development Plan (PUD-GDP) and Planned Unit Development-Specific Implementation Plan (PUD-SIP) to Amended PUD-GDP and R2T (Single-Family Residence District) to establish a General Development Plan for the future development of 109,000 square feet of retail/office space, a 24,000 square-foot library and 110 multi-family residential units;
- ID 25091 – Approval of the preliminary plat of Town Center Addition to Grandview Commons, creating 18 single-family lots, 5 town center lots and 1 outlot for the future development;

Applicable Regulations & Standards: Section 28.12(10) provides the process for zoning map amendments; Section 28.07(6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments. Section 33.24 (4)(f) provides the standards for large retail establishments. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

Summary Recommendation: If the Plan Commission supports the related amendments to the Comprehensive Plan (ID 24356 and 25098) and the Sprecher Neighborhood Development Plan (ID 24357), the Planning Division believes that the Plan Commission can forward Zoning Map Amendments 3570 and 3571, rezoning 6002 Cottage Grove Road, 5901-5939 Sharpsburg Drive and 857 Jupiter Drive et al from Temp. A, PUD-GDP and PUD-SIP to Amended PUD-GDP and R2T, to the Common Council with a recommendation of **approval**, and forward the preliminary plat of Town Center Addition to Grandview Commons to the Common Council with a recommendation of **approval**, all subject to input at the public hearing and the conditions from reviewing agencies beginning on page 18 of this report.

If the Plan Commission does not support the plan amendments, staff recommends that the zoning map amendment and preliminary plat should be placed on file without prejudice.

Note: The City has received a considerable number of comments from the public regarding the project. Due to the high volume, this correspondence has not been copied for the Plan Commission packet. Instead, Planning staff is maintaining a website with a chronological listing of all of the correspondence it has received since May 7, 2011. Members of the Commission and public are encouraged to review those comments online at: http://www.cityofmadison.com/planning/grandview_comments.html.

Background Information

Applicant: Jeff Rosenberg, Veridian Homes, LLC; 6801 South Towne Drive; Madison.

Property Owners: Veridian Homes, LLC, DJK Holdings, Inc., DJK Real Estate, Premium Real Estate, Grandview Land, LLC, Grandview Commons Association in

care of Veridian Homes, LLC; 6801 South Towne Drive; Madison, and;
the City of Madison

Agent: Brian Munson, Vandewalle & Associates; 120 E. Lakeside Street;
Madison.

Surveyor: Dan Day, D'Onofrio Kottke & Associates; 7530 Westward Way; Madison.

Proposal: The applicant is requesting approval of an amended Planned Unit Development-General Development Plan (PUD-GDP) zoning for 10.6 acres of the 15.4-acre overall site to allow the future construction of approximately 109,000 square feet of retail/office space (including a 58,000 square-foot grocery store), a 24,000 square-foot City library and up to 110 multi-family residential units on the lands to be zoned Amended PUD-GDP. The remaining approximately 4 acres of land will be rezoned R2T (Single-Family Residence District) and will be subdivided into 18 single-family lots. The application materials indicate that construction of the project will commence this year, with no schedule for completion indicated.

Parcel Location: Approximately 15.4 acres of land generally extending along the north side of Cottage Grove Road between North Star Drive on the west and McLean Drive on the east, as well as a parcel located on the west side of North Star Drive between Jupiter and Gemini drives; Aldermanic District 4 (Cnare); Madison Metropolitan School District.

Existing Conditions: The subject site is undeveloped with the exception of the one-story former Doric Lodge and adjacent telephone equipment shed located at 6002 Cottage Grove Road. The subject site includes 10 vacant single-family lots located on the easternmost edge of the site along Kilpatrick Lane and Big Dipper Drive, which were platted with the original Grandview Commons subdivision and are zoned PUD-SIP.

Land Use and Zoning Surrounding Subject Site:

North: Private open spaces (Outlots 20, 26 & 27), multi-family residential along Gemini Drive, and single-family residences in Grandview Commons, all zoned PUD-SIP;

South: Single-family residences in the Richmond Hill subdivision, zoned R1 (Single-Family Residence District); the Marian Shrine of the Sisters of Schoenstatt and undeveloped land, zoned A (Agriculture District);

West: Existing town center mixed-use and multi-family buildings in Grandview Commons, zoned PUD-SIP;

East: Single-family residences in Grandview Commons, zoned PUD-SIP and R2T (Single-Family Residence District).

Adopted Land Use Plan: The Comprehensive Plan recommends the existing Grandview Commons neighborhood mixed-use center properties located on both sides of North Star Drive north of Cottage Grove Road for Neighborhood Mixed-Use development. A Transit-Oriented Development node is also located at the North Star-Cottage Grove intersection. The rest of the neighborhood center site is recommended for Medium-Density Residential development. The former Doric Lodge property and the single-family residential located between the site and McLean Drive are recommended for Low-Density Residential uses.

The Sprecher Neighborhood Development Plan identifies the Grandview Commons neighborhood mixed-use center properties located on both sides of North Star Drive for mixed commercial and residential uses. The former Doric Lodge property is recommended for institutional uses; the single-family lots to the east are recommended for low-density residential uses.

The proposed changes to the Grandview Commons neighborhood mixed-use center, and in particular the proposed 58,000 square-foot grocery store, would not be consistent with the recommendations in either of the currently adopted plans. Veridian has requested that both plans be amended as needed to accommodate the proposed changes to the town center. A separate Planning Division staff report for the requested amendments to the Comprehensive Plan and Sprecher Neighborhood Development Plan is included in the materials for this project.

Environmental Corridor Status: This property is not located within a mapped environmental corridor. The corridor map notes that the northeastern corner of the Doric Lodge property contains woodlands (80% canopy).

Public Utilities and Services: This property is served by a full range of urban services except Metro Transit, which does not currently serve the Grandview Commons area or any neighborhoods in this area east of Interstate 39-90 except for the southernmost portions of the Richmond Hill subdivision at E. Buckeye Road.

Zoning Summary: The proposed town center development east of North Star Drive will be zoned Amended PUD-GDP with this application. The amended general development plan will be reviewed in the following sections. If the amended general development plan is approved, rezonings from PUD-GDP to PUD-SIP will be required prior to the construction of individual projects within the planned unit development.

Regarding the 18 future single-family lots to be platted R2T (Single-Family Residence District):

Requirements		Required	Proposed
Lot Area		5,000 sq. ft.	All proposed lots will exceed
Lot Width		44'	All proposed lots will exceed
Front Yard		20'	TBD at building permit
Side Yards		5' – one-story.; 6' – two-story	TBD at building permit
Rear Yard		20'	TBD at building permit
Floor Area Ratio		N/A	---
Building Height		2 stories, 35 feet	TBD at building permit
No. Parking Stalls		1	TBD at building permit
Other Critical Zoning Items			
Yes:	Barrier Free, Utility Easements		
No:	Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development		
Prepared by: Pat Anderson, Asst. Zoning Administrator			

Previous Approvals

On February 5, 2002, the Common Council approved a request to rezone 232.6 acres of land located in the northeastern quadrant of Cottage Grove Road and Interstate 39-90 from A (Agriculture District) to PUD-GDP and approved the preliminary plat of Grandview Commons for the future development of 557 single-family residences, 20 two-family residences, up to 785 multi-family residential units (throughout the development), 100,000 square feet of retail/ office uses, and 20,000 square feet of additional office space above the first floor in the neighborhood center.

On June 4, 2002, the Common Council approved an Amended PUD-GDP and a PUD-SIP for the first phase of Grandview Commons to allow development of 557 single-family residences, 20 two-family residences, up to 1,248 multi-family residential units (throughout the development), 100,000 square feet of retail/ office uses, 50,000 square feet of flex space, and 20,000 square feet of additional office space above the first floor in the neighborhood center.

On June 18, 2002, the Common Council approved a revised preliminary plat and final plat of Grandview Commons. The final plat was recorded on November 6, 2002.

On October 16, 2006, the Plan Commission approved a demolition permit to allow the former Doric Lodge located at 6002 Cottage Grove Road to be demolished.

On July 17, 2007, the Common Council approved a major alteration to the general development plan for the Grandview Commons Neighborhood Center–Mixed-Use district to allow up to 90,000 square feet of retail/office uses and 162 residential units to be developed on the portion of the neighborhood center located east of North Star Drive. The Council also approved a Certified Survey Map to create two lots within the mixed-use center, including a lot donated to the City for a future City library.

Project Review

Veridian Homes is requesting approval of an amended and expanded general development plan for the neighborhood center of their Grandview Commons development, which calls for 109,000 square feet of retail and office space including a 58,000 square-foot grocery store, a 24,000 square-foot public library, and up to 110 multi-family residential units on 2 sites totaling 10.6 acres of land located on the north side of Cottage Grove Road (CTH BB) on both sides of North Star Drive. The subject site includes a 5.7-acre parcel at 6002 Cottage Grove Road, which is developed with the now vacant Doric Lodge. The remainder of the proposed expanded neighborhood mixed-use center, including a 0.97-acre parcel located on the west side of North Star between Gemini and Jupiter drives, is undeveloped. In addition to the expanded neighborhood mixed-use center, the application includes a request to rezone approximately 4 acres to R2T Single-Family Residence zoning to allow for the future creation of 18 single-family lots along a realigned Big Dipper Drive and Kilpatrick Lane, an existing street proposed to end in a cul-de-sac on the eastern edge of the mixed-use center. Approval of a preliminary plat to subdivide the 15.4-acre overall site into the 18 proposed single-family lots and 5 mixed-use lots and 1 outlot is also requested.

The proposed expansion of the neighborhood mixed-use center and single-family subdivision will require rezoning of the 15.4-acre subject site from Temp. A, PUD-GDP and PUD-SIP to Amended PUD-GDP and R2T. It will also require the prior approval of major amendments to the Sprecher Neighborhood Development Plan and Comprehensive Plan.

Background & Existing Conditions

The subject site is comprised of 5 parcels zoned PUD-GDP or PUD-SIP that were previously identified for development as part of the Grandview Commons neighborhood mixed-use center, 10 PUD-SIP-zoned single-family lots, portions of 2 other PUD-zoned residential lots or outlots, and the former Doric Lodge property. With the exception of the mixed-use property located on the west side of North Star Drive, the subject site extends along the north side of Cottage Grove Road between North Star and McLean drives, and is generally bounded on the north by existing Sharpsburg Drive, Kilpatrick Lane, and Big Dipper Drive. The proposed amended general development plan does not include a third mixed-use site included in the Grandview Commons neighborhood center, which is located on the west side of North Star Drive between Cottage Grove Road and Jupiter Drive and is developed with a one-story dental office, a two-story multi-tenant commercial building housing The Great Dane, and an assisted living community. It also does not include a property located on the west side of Kilpatrick Lane south of Sharpsburg Drive, which is developed with a ten-unit condominium building.

At present, the 0.9-acre mixed-use site located on the west side of North Star Drive is approved for the future development of 25,000 square feet of retail/ office uses and 45 dwelling units. The 4 lots located on the portion of the mixed-use center extending east from North Star between Sharpsburg Drive and Cottage Grove Road are approved for the future development of 90,000 square feet of retail/ office uses and 162 residential units on the portion of the neighborhood center located east of North Star Drive. The approved non-residential square footage includes the floor area of a future public library, which will be developed on a 0.95-acre City-owned parcel located on the south side of Sharpsburg Drive opposite the eastern end of Gemini Drive (5939 Sharpsburg Drive).

The Sprecher Neighborhood Development Plan adopted in 1998 recommends these 5 sites for mixed neighborhood commercial and residential uses as part of the Southwest Neighborhood Commercial Center identified in the plan. The neighborhood plan recommends that this center serve as a focal point for community activities and convenience and specialty shopping for several surrounding residential neighborhoods in the Sprecher and Cottage neighborhood planning areas, and encourages that buildings in the center be multi-story, mixed-use and placed close to the street to create a high degree of pedestrian activity. Large businesses, or uses requiring extensive parking were not thought to be compatible with the compact, pedestrian-oriented town center development concept envisioned in the adopted 1998 neighborhood development plan. The Comprehensive Plan, adopted in 2006, largely follows the Sprecher Neighborhood Development Plan recommendations for the Southwest Neighborhood Commercial Center and recommends the Grandview Commons neighborhood mixed-use center for Neighborhood Mixed-Use development and Medium-Density Residential development. The North Star-Cottage Grove intersection is also identified as a Transit-Oriented Development node.

The 5.7-acre Doric Lodge property is developed with a one-story former school building located on the southernmost edge of the property adjacent to Cottage Grove Road, which was most recently used as offices and lodge space for the Free Masons of Madison, Inc. The area between the building and road includes a gravel parking lot and a small telephone equipment building. The remainder of the former lodge property is undeveloped and characterized by a modest west to east slope and stands of mature deciduous trees located along the northern and eastern edges of the site. The site is recommended for institutional uses in the Sprecher Neighborhood Development Plan, since at the time the plan was prepared and adopted, the lodge had no plans to relocate. The Comprehensive Plan recommends the Doric Lodge property and the single-family residential lots located east of the site for Low-Density Residential uses. The single-family lots to the east are also recommended for low-density residential uses in the neighborhood development plan.

The Plan Commission previously approved the demolition of the former school/ lodge building in 2006. At the time that the demolition permit (which is still valid) was approved, the applicant submitted a conceptual subdivision plan for the 5.7-acre parcel that called for Kilpatrick Lane to extend south and east through the site to connect a stub of the street located south of Sharpsburg Drive with one that extends across McLean Drive one block north of Cottage Grove Road. A westward extension of Big Dipper Drive from its current terminus just west of McLean was proposed to intersect Kilpatrick, with single-family lots to be platted on both streets.

In addition to the modest slope present on the Doric Lodge property, the subject site is characterized by a grade that generally falls from a high point adjacent to the intersection of Sharpsburg and Gemini drives to the south, west and east. The site is slightly elevated above the Cottage Grove Road, with a line of shade and coniferous trees scattered along the southern edge of the site, including two mature oaks. The northern portion of the site east of a 10-unit townhouse located on the western stub of Kilpatrick Lane is wooded. The southern edge of the townhouse property will be incorporated into the proposed enlarged neighborhood center development.

Amended General Development Plan & Subdivision Plat

The amended general development plan for the neighborhood mixed-use center, called Grandview Commons Town Center, proposes the development of approximately 94,000 square feet of retail/ office uses on the 9.7 acres of land that extend east from North Star Drive along the north side of Cottage Grove Road to the eastern line of the former Doric Lodge property. The 94,000 square feet of proposed retail and office space includes an approximately 58,000 square-foot grocery store on the eastern half of that land area but does not include the square footage of a future public library proposed in the Grandview Commons neighborhood mixed-use center. The 24,000 square-foot, two-story library is now identified as a separate use within the Grandview Commons neighborhood mixed-use center.

To provide additional public street access to the development, Gemini Drive will be extended south from its current terminus at Sharpsburg Drive to intersect Cottage Grove Road at a full intersection. This section of Gemini Drive will include on-street parking and turn lanes as necessary to accommodate traffic movement at its intersections with Sharpsburg Drive and Cottage Grove Road and the driveways serving the town center. Because a portion of the former Doric Lodge property will be developed with the proposed grocery store, the segment of Kilpatrick Lane south of Sharpsburg Drive will be extended eastward to connect to Big Dipper Drive west of McLean Drive rather than making this turn farther south to connect with the existing section of Kilpatrick off of McLean Drive. The section of Kilpatrick Lane west of McLean Drive is proposed to become a cul-de-sac.

Proposed Grocery Store and Development East of Gemini Drive (C Block):

The proposed 58,000 square-foot grocery store will be located at the eastern end of the mixed-use center. The grocery store is proposed to face to the west and will extend 200 feet in length parallel to Cottage Grove Road, with approximately 300-foot long walls along the western front and eastern rear walls. The main entrance to the store will be located at the center of the western wall, with secondary entrances to be located at the southwestern corner of the store adjacent to Cottage Grove Road, including a door on the southern façade facing the street. Conceptual elevations of the grocery store are included with the general development plan; final architecture of the store will be submitted as part of a future specific implementation plan application for the store prior to construction commencing.

Access into the grocery store portion of the town center development will be provided from a driveway from Cottage Grove Road that will parallel the front wall of the building and from two driveways into the site from Gemini Drive. Vehicles entering the grocery store site from the southern of the two Gemini Drive entrances will be diverted to the north or south of a 52-foot wide landscaped walkway that will extend west from the main entrance of the store to connect to the western half of the town center development. A 3,500 square-foot one-story retail building will be built on the east side of Gemini Drive between Cottage Grove Road and the first driveway north. The second drive access from Gemini into the grocery store area will be located between a second 3,500 square-foot, one-story retail building and the proposed public library, which will be located at the southeasterly corner of Gemini and Sharpsburg drives. The future public library will be oriented to take advantage of the long view looking west along Sharpsburg Drive towards the State Capitol. Details of the proposed library will be provided as part of a future specific implementation plan.

Parking for the grocery store, library and two 3,500 square-foot retail buildings on the eastern half of the enlarged town center development will be provided in 294 spaces. The general development plan calls for 139 of those stalls to be located on the north side of the proposed central walkway and 86 on the south side. The remaining 69 stalls will be located on the north side of the grocery store. Loading for the store will be located on the southern half of the eastern wall and will face to the north. Access to the loading area and secondary access to the 69 northern parking stalls will be provided by a partial-access driveway from Cottage Grove Road at the southeastern corner of the mixed-use site.

Mixed-Use Development West of Gemini Drive (B and E Blocks):

The portion of the town center site bounded North Star, Sharpsburg and Gemini drives and Cottage Grove Road is proposed for development with four buildings. Beginning at the southwestern corner of Sharpsburg and Gemini, the developer proposes a 2-3-story retail/ office building that is conceptually shown paralleling Sharpsburg Drive. The building, shown on the plans as B4, will have a 9,000 square-foot footprint and may contain up to 20 residential units to be located above the first floor. Moving west along Sharpsburg, the general development plan calls for a 1-3-story retail/ office building (B3) that will sit perpendicular to the Sharpsburg Drive frontage and include a 4,500 square-foot footprint and the potential for up to 20 residential units. A 1-2-story retail/ office building will be located at the southeastern corner of North Star and Sharpsburg drives. The building (B1) will parallel Sharpsburg Drive and contain a 2,500 square-foot footprint. The three buildings proposed to line the south side of Sharpsburg Drive are designed to provide an active street wall opposite the private square to the north, which itself is framed by a series of three multi-family residential buildings located on the northerly side of Gemini Drive.

The last of the four town center buildings proposed between Gemini Drive and North Star Drive will be a 9,000-13,000 square-foot retail/ office building (B2) to be located south of Building B3. The Building B2 is proposed to be L-shaped in an effort to frame the southern edge of a plaza that will located off of North Star Drive as well as provide some building presence parallel to Cottage Grove Road. Buildings B1 and B3 will frame the northern edge of the plaza. The plaza and space between Buildings B2 and B3 will form the western half of the central pedestrian corridor that will begin at the front entrance of the grocery store, with the existing two-story commercial building housing The Great Dane Pub on the west side of North Star Drive serving as the western terminal view.

Parking for the four town center buildings proposed between Gemini and North Star will be provided in 78 parking stalls to be located between Building B2 and B3 and Gemini Drive, and in 20 existing perpendicular on-street parking stalls already located along the south side of Sharpsburg Drive and 4 parallel stalls located on the east side of North Star Drive.

The last component of the amended general development plan for the mixed-use neighborhood town center calls for a reduction in retail/ office square footage for the 15,000 square-foot mixed-use building (E1) proposed at the northwestern corner of North Star and Jupiter drives. The building was previously approved for up to 25,000 square feet of retail and office uses. Up to 45 dwelling units will continue to be allowed. The building of up to five stories will parallel North Star Drive and include approximately 50 parking stalls located at the rear.

Other Provisions in the Amended General Development Plan:

The amended general development plan text includes provisions intended to reinforce the traditional neighborhood development tenets that have been part of the Grandview Commons development since its inception in the late 1990s. The developer states that Sharpsburg Drive will serve as the primary pedestrian activity zone for the town center and proposes that 75 percent of the northern facades of Buildings B1, B3 and B4 will be located within 20 feet of the right of way, either individually or in congregate. Primary retail entrances for these three buildings will face Sharpsburg, while secondary retail entries and entrances to office spaces and residential units may be located on the non-Sharpsburg sides of the buildings. Similarly, the PUD calls for entrances to the two one-story retail buildings proposed along the east side of Gemini Drive to have entrances from the public sidewalk (some of the PUD zoning text makes references to Gemini as a private street, which it is no longer proposed to be) as well as from the parking to be located to their east. Corner entrances may be utilized to satisfy the primary retail entrance location requirement. To further reinforce the level of engagement between the first floor retail spaces and pedestrian activity zones along Sharpsburg and North Star drives and the central pedestrian plaza, the amended general development plan includes a provision similar to one contained in the new Zoning Code, which will require that individual retail establishments include a transparent façade across 60% of the horizontal plane of the first floor between 3 and 8 feet above the walkways.

The amended PUD also proposes to limit the size of individual retail users other than the 58,000 square-foot grocery store to 10,000 square feet on the first floor, with uses desiring greater than 10,000 square feet required to use a multi-story format. The proposed zoning text will also establish maximum building heights of 45 feet for standalone retail/ office/ institutional buildings (including the public library) and 70 feet for mixed-use and multi-family-only buildings.

Proposed Single-Family Development North and East of Town Center:

Finally, the applicant is proposing to create a total of 18 single-family lots north and east of the enlarged town center. To the north of the proposed grocery store, the applicants propose to extend Big Dipper Drive west to align with existing Kilpatrick Lane adjacent to the existing ten-unit townhouse. Ten single-family lots to be zoned R2T (Single-Family Residence District) will be located on the north side of extended Big Dipper Drive, which will abut existing single-family homes located on the south side of Sharpsburg Drive. The general development plan shows that the area between the public sidewalk on the south side of Big Dipper and the northern edge of the grocery store parking lot will include a landscaped buffer and screen wall in addition to a retaining wall that will increase in height as it moves east along the northern property line. A pedestrian connection is proposed to extend from the front of the grocery store north to connect to the Big Dipper sidewalk. Details of the walls and landscaping will be determined as part of the future specific implementation plan for the grocery store.

In addition to the 10 single-family lots to be located on the north side of realigned Big Dipper Drive, 3 lots will be platted on the south side of Big Dipper Drive east of the proposed grocery store, and 5 lots

will be platted around the cul-de-sac proposed at the western end of the section of Kilpatrick Lane west of McLean Drive. A private sidewalk and stairs will extend from the cul-de-sac bulb up to the back side of the grocery store, with a walkway to extend along the north wall of the store to bring pedestrians to the entrances along the western wall. A landscaped buffer and terrace wall is proposed along the common line between the rear of the grocery store and the proposed residential lots on the western end of Kilpatrick Lane. A landscaped buffer is also proposed at the rear of the lots backing onto Cottage Grove Road, which will require final approval as part of the review of a final plat creating these lots.

Evaluation & Analysis

The developer is proposing a new and dramatically different vision for the Grandview Commons Town Center than is contained in the approved PUD zoning, the Sprecher Neighborhood Development Plan, and the Comprehensive Plan. After approximately a decade of attempting to implement the approved neighborhood mixed-use center, which calls for smaller shopping and convenience uses for the Grandview Commons development and other nearby neighborhoods, the developer now indicates that the neighborhood center cannot be viable without a retail anchor tenant. The request before the Plan Commission represents a larger neighborhood mixed-use town center, both in geographic area and in scope than what is currently approved. The amended and expanded general development plan, which would allow the development of a 58,000 square-foot grocery store on the former Doric Lodge property, would provide the applicant's desired anchor tenant. The significantly larger retail user and the physical elongation of the town center will require careful consideration for the potential impacts those changes could have on the realization of one of Madison's few new traditional neighborhoods.

Conformance of the Amended PUD-GDP zoning with the Planned Unit Development Criteria

As with any rezoning, the Plan Commission shall not recommend the adoption of a proposed zoning map amendment unless it finds that the proposed rezoning is "in the public interest and is not solely for the interest of the applicant, and shall not recommend a proposed amendment without due recognition of the master plan of the City." In addition, Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be *consistent with* the City's comprehensive plan. 2010 Wisconsin Act 372 clarified "Consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

Regarding planned unit developments, the Zoning Code requires that the criteria contained in Section 28.07(6)(f) be applied:

"As a basis for determining the acceptability of a planned unit development district application the following criteria shall be applied with specific consideration as to whether or not it is consistent with the spirit and intent of this ordinance and has the potential for producing significant community benefits in terms of environmental and aesthetic design.

1. *Character and Intensity of Land Use. In a planned unit development district the uses and their intensity, appearance and arrangement shall be of a visual and operational character which:*
 - a. *Are compatible with the physical nature of the site or area.*
 - b. *Would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the general development plan.*
 - c. *Would not adversely affect the anticipated provision for school or other municipal service unless jointly resolved.*

- d. Would not create a traffic or parking demand incompatible with the existing or proposed facilities to serve it unless jointly resolved. A traffic demand management plan and participation in a transportation management association may provide a basis for addressing traffic and parking demand concerns.*
- 2. Economic Impact. Planned unit development district shall not adversely affect the economic prosperity of the City or the area of the City where the planned unit development is proposed, including the cost of providing municipal services.*
- 3. Preservation and Maintenance of Open Space. In a planned unit development district adequate provision for the improvement and continuing preservation and maintenance of attractive open space shall be made.*
- 4. Implementation Schedule. A planned unit development district shall include suitable assurances that each phase could be completed in a manner which would not result in an adverse effect upon the community as a result of termination at that point."*

→ Review Against Criteria 1a & 1b:

During the past two years, Planning staff has had periodic discussions with the developer and others interested in this project regarding the proposed amended town center general development plan and the corresponding amendments to the Sprecher Neighborhood Development Plan, and the Comprehensive Plan as this project has evolved. While the current proposal for integrating a large grocery store into the town center is not significantly different from earlier concepts, the cumulative incremental changes to the proposal represent a meaningful improvement from where this project started, although it still represents a significant change from the town center envisioned in the existing general development plan.

In order to approve the amendments to the Planned Unit Development-General Development Plan, the Plan Commission must find that the proposed amendments are consistent with the spirit and intent of the PUD ordinance, and that the amendments have the potential for producing significant community benefits in terms of environmental and aesthetic design. The Planned Unit Development criteria 1a and 1b require that the Planned Unit Development shall be of a visual and operational character which are compatible with the physical nature of the site or area and which produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the General Development Plan. The questions concerning the compatibility of the proposed amendment with the physical nature of the site or area can be informed by the existing natural features and condition of the site including vegetation on the property, the existing topography, and the existing development which has occurred around the property. Questions of compatibility are informed by the types of land uses proposed, their location, the buildings proposed and their location, the operational characteristics of the proposed buildings, and how the proposed buildings relate to the existing physical features both natural and built within the area.

In regard to creating a pedestrian-oriented town center, one concern with the proposed grocery store is its placement at the eastern end of the enlarged center and the resulting distance from the western end of the town center at North Star Drive. While the size of the grocery store and the developer's desire to locate parking at the "front" of the store limits its placement options, staff believes that the plan for building placement contained in the general development plan has the potential to result in an attractive development that ties the individual town center uses together to provide the mix of residential and neighborhood-serving retail and service uses first discussed for the subject site in the 1998 Sprecher

Neighborhood Development Plan. The incorporation of the central walkway linking the western end of the town center on the west side of North Star Drive with the proposed grocery store should provide a more attractive and comfortable pedestrian environment than previous iterations of the plans, and should facilitate the movement of visitors to the town center between the various uses that will be developed during the implementation of the center. The introduction of the one-story buildings along the east side of Gemini Drive help to reduce the separation between the grocery store and the western end of the town center, which is clearly the most attractive element of the general development plan from a site design perspective. Staff supports the location of the retail and mixed-use buildings proposed to line portions of the Sharpsburg Drive and Gemini Drive frontages, though careful review of the final design of those buildings will be required prior to their construction to ensure that they achieve the design goals proposed in the general development plan with regard to façade treatments and entry locations. Staff also encourages the height maximums contained in the general development plan for the four B-block buildings be realized and recommends that at least 50 percent of the gross floor area developed on that block be provided in multi-story buildings.

Another significant concern that has been expressed about the proposed amendment is the size of the grocery store. While staff acknowledge that a larger store will have different operational characteristics and potentially different impacts than a significantly smaller store, in some ways, the most substantial difference between a smaller store and the one currently being proposed is the ability to locate a smaller store possibly further to the west and to allow it to be more closely integrated with the other buildings proposed for the mixed-use town center. A smaller store would also move the building further away from the single-family homes south of Cottage Grove Road closer to the area already zoned for commercial development which would be part of the mixed-use town center. Unfortunately, the grocery store developers have stated that they will not build a store less than 58,000 square feet in area. They have also said that the store must be one-story and served by a surface parking lot versus a multi-story mixed-use building potentially served by under building parking. As a result, there appear to be few options for locating a store this large other than moving it toward the eastern end of the site.

As noted above, staff believes that the introduction of the significantly larger grocery store use at the previously smaller scale Grandview Commons neighborhood mixed-use center should only proceed if it is part of an integrated, comprehensively planned mixed-use development as the proposed Sprecher Neighborhood Development Plan and Comprehensive Plan map amendment notes suggest. While the amended and expanded planned unit development application currently promotes such a vision, staff believes that implementation of that vision during the review of each specific implementation plans will be of the utmost importance to ensure that the Grandview Commons Town Center does not become an auto-oriented suburban-style shopping center, which would be contrary to both the neighborhood plan and Comprehensive Plan visions for this site and Grandview Commons development.

To ensure that the amended and enlarged neighborhood mixed-use center is implemented in close accordance with the plans contained in the general development plan, Planning staff recommends that certain provisions of the proposed zoning document be modified or removed if the proposed zoning map amendment is approved. Staff also recommends that the final general development plan document be reorganized and that extraneous material included with the application that is not part of the general development plan be removed. These recommendations are among the many conditions of approval recommended by the Planning Division in the last section of this report.

Planning staff recommends that several changes to the material on page 22 of the February 8, 2012 submittal, which includes three provisions that Planning staff is concerned could limit the intent of the Amended PUD-GDP.

A provision entitled “Maximum Development & Dwelling Units” notes that the development projections included on page 22 of the February 8 zoning document are guidelines, and that the developer may propose to increase or decrease those projected numbers and shift allocations “within the overall district.” The “Projected Development” section also proposes the reallocation of development density among several sites within the overall district and that specific buildings shown on the concept plan may be “reshaped or combined” as part of the approval of a specific implementation plan. Staff feels that this level of flexibility could result in a development pattern that does not reinforce the pedestrian environment proposed in the general development plan, either for the private plaza or the adjacent public sidewalks, unless there is a clear commitment to the general concept of multiple buildings defining and enclosing these central features. Staff recommends that a narrative description be added to the general development plan document specifically citing the arrangement of buildings, central walkway and plaza as part of the development concept. Staff also recommends that the building square-footage and dwelling unit allotments currently presented in the “Development Projections” be recast as relatively narrow ranges, with the provision that aggregate total development within the amendment area is limited to the amount proposed in the application (which will be less than the upper limits of development for all sub-areas). It is also recommended that the individual maximum development intensity be established for the B, C, and E blocks covered by this Amended PUD-GDP, and that this development allowance not be shifted among these three sub-areas. Staff instead recommends that an amendment to the general development plan be considered as part of a specific implementation plan for a project requiring a high degree of flexibility or deviation from the proposed general development plan.

Planning staff also recommends that the “Flex Space” provision be tightly controlled or removed. While staff supports the concept of flex space, where first floor spaces are designed for future commercial use while initially being used as residential or live-work spaces, staff believes that allowing residential uses on first floors throughout the neighborhood mixed-use center is contrary to the goals of the Grandview Commons Town Center, and is concerned that the flex space provision could result in this center becoming predominated by multi-family residential development. One of the premises for allowing the grocery store is the potential for the 58,000 square-foot store to stimulate development of the neighborhood convenience and retail uses originally envisioned for the North Star Drive-Cottage Grove Road intersection. Staff does not feel that first floor residential uses in the commercial/ mixed-use center would be consistent with this vision, though staff otherwise strongly encourages the inclusion of residential uses above the first floor of the four buildings on the B block (Buildings B1-B4) and in the E1 building. Any incorporation of first floor residential or flex space units can be considered as an amendment to the general development plan as part of the review of a specific implementation plan.

Finally, staff recommends a condition of approval that clarifies the status of the overall Grandview Commons neighborhood mixed-use center, including the site located on the west side of North Star Drive between Jupiter Drive and Cottage Grove Road (south and west of the subject site). Staff feels that such a plan can aggregate the various elements of the town center that have been approved since 2002, including the amended PUD-GDP approved in 2007 and the proposed amendment, and will work with the developer on the final content of the plan that, once approved by staff, will be recorded with the current general development plan amendment.

→ Review Against Criteria 1c: Planning staff is not aware of any significant concerns expressed by City agencies about the capacity of municipal services needed to serve the proposed development (water, sewer, etc.) and the project should not result in any impact on the capacity of Madison Metropolitan School District facilities beyond what is already allowed to be developed within the Grandview Commons Town Center by earlier land use approvals.

→ Review Against Criteria 1d: The applicant has provided a traffic impact analysis with the proposed rezoning, which looks at traffic volumes at the site in 2017 with and without the proposed amended town center development, and at traffic volumes in 2032, 15 years after the anticipated full build-out of the town center. The analysis indicates that the project will result in an increase of 8,705 vehicle trips per day once fully developed, with the majority of those trips using Cottage Grove Road for access to the site. However, a substantial number of trips to and from the site will exit to the north into the heart of the Grandview Commons subdivision, with increased traffic volumes anticipated at the intersections of Gemini Drive and Sharpsburg Drive and North Star Drive and Sharpsburg Drive/ Jupiter Drive.

The traffic impact analysis indicates that with the construction of turn lanes on Cottage Grove Road at the approaches to the extension of Gemini Drive and the grocery store access, and the installation of a traffic signal at the Cottage Grove-North Star intersection (planned by the City for 2012) that the existing roadway system "should be adequate to accommodate additional traffic resulting from the proposed development until Cottage Grove Road is reconstructed to four lanes in 2015. With the planned reconstruction of Cottage Grove Road, the proposed street system is adequate to accommodate additional traffic resulting from the proposed development through 2032."

In order to accommodate the traffic anticipated by this development, the applicant's traffic impact analysis recommends a series of transportation improvements in addition to the expansion of Cottage Grove Road to four lanes and the traffic signal at the Cottage Grove Road and North Star Drive intersection, which are summarized on pages 31-32 of the attached study. Those improvements include the installation of a series of turn lanes at the approaches into the town center and Grandview Commons from Cottage Grove Road; the future signalization of the McLean Drive-Cottage Grove Road intersection once signalization warrants are met; the installation of a four-way stop at the North Star Drive/Jupiter Drive/Sharpsburg Drive intersection with the ability to construct a right-turn lane on the northbound approach of North Star Drive at Jupiter Drive/Sharpsburg Drive if it becomes necessary; the construction of a series of pedestrian and bicycle connections through the development as generally shown on the amended general development plan, and; the installation of crosswalks at the street intersections along Sharpsburg Drive, North Star Drive, Gemini Drive and Big Dipper Drive, and across Gemini Drive where the internal pedestrian/ bicycle way will cross mid-block.

Traffic Engineering Division staff has reviewed the applicant's traffic impact analysis and generally agrees with its conclusions regarding trip generation. However, Traffic Engineering staff has submitted a series of proposed conditions they recommend be applied if the amended PUD-GDP is approved, which they feel are necessary to address the traffic impacts generated by the proposed amended town center development.

Review Against Criteria 2: Economic impact: *[The] Planned unit development district shall not adversely affect the economic prosperity of the City or the area of the City where the planned unit development is proposed, including the cost of providing municipal services.*

Planning staff believes that the proposed amended general development plan for the Grandview Commons Town Center can comply with this approval criterion. Staff is aware of concerns that have been expressed by some area residents and the operator of an existing grocery store located about a mile to the west of Grandview Commons regarding the possible affect the introduction of another grocery store in the area could have on their operations. However, staff does not believe that concerns about competition should impact the Plan Commission's ability to find this approval criterion met. New development proposals throughout the City and region frequently include some amount of development that will compete in some fashion with existing development. Staff does not believe that the proposed development, including the construction of a full-service grocery store, will adversely impact the

economic prosperity of the City, and while staff has heard from nearby property owners who have expressed concerns that the development will have a negative impact on their properties, staff does not feel on balance, that the project will adversely affect the economic prosperity of the area..

Further, staff believes that the addition of a grocery store in this area generally meets the goals and objectives contained in the 2004 report issued by the Mayor's Office, Grocery Stores in City Neighborhoods: Supporting access to food choices, livable neighborhoods, and entrepreneurial opportunities in Madison, Wisconsin, which encourages the development of small- and medium-sized grocery stores in developing and redeveloping neighborhoods to provide food-purchasing options within proximity to residents in neighborhoods across the City. While the proposed 58,000 square-foot grocery store could be considered "large" within the context the Grandview Commons area, it is staff's opinion that the store falls near the middle of the spectrum in terms of size compared to other grocery stores in the Madison market, which range from smaller-sized markets like Jenifer Street Market, Capitol Centre Foods and the Willy Street Co-op to the larger Wal-Mart Supercenters and Woodman's. A table is attached to this report, which provides a comparison of the square-footage of different grocery stores located around the City and metropolitan area.

Review Against Criteria 3: Preservation and maintenance of open space. In a planned unit development district adequate provision for the improvement and continuing preservation and maintenance of attractive open space shall be made.

Staff generally believes that the Plan Commission can find this criterion for approval met for the purposes of approving the amended general development plan. Further review of the conformance of the town center development with this criterion will be required as specific implementation plans are submitted for approval prior to the construction of individual phases of the project, including for specific implementation plans that include residential components.

Review Against Criteria 4: Implementation schedule: A planned unit development district shall include suitable assurances that each phase could be completed in a manner which would not result in an adverse effect upon the community as a result of termination at that point.

Planning staff is aware of the considerable concern that has been expressed by some of the residents of the area surrounding the town center development about the implementation of the overall town center contained in the amended general development plan once the proposed grocery store is constructed. Staff shares this concern. As noted previously, staff believes that the introduction of the 58,000 square-foot grocery store use at the Grandview Commons neighborhood mixed-use center should only proceed if it is part of an integrated, comprehensively planned mixed-use development. This recommendation is included in the proposed amendments to both the Sprecher Neighborhood Development Plan and Comprehensive Plan. While the amended general development plan promotes such a mixed-use development, staff believes that implementation of that vision during the review of subsequent specific implementation plans will be essential.

Staff is sanguine, however, about the level of assurance that can be achieved at the level of a general development plan approval. It will be incumbent upon the developer, neighbors, City staff and commissions, and the Common Council to ensure that the specific implementation plan requests that follow adhere as closely as possible to the vision promoted in the proposed Grandview Commons Town Center General Development Plan should it be approved. Additionally, if the amended general development plan is approved, the subsequent rezonings from PUD-GDP to PUD-SIP zoning will be required to be consistent with the amended Sprecher Neighborhood Development Plan and

Comprehensive Plan as well as the general development plan following additional staff review and public hearings before the Plan Commission and Common Council.

Conformance to the Large-Format Retail Establishment Ordinance

Section 33.24(4)(f) of the Urban Design Commission Ordinance was adopted in 2005 to provide standards for retail developments of 40,000 square feet or more of gross floor area either as one building or in multiple buildings on a single zoning lot. The standards were intended to “[promote] the efficient use of land and [preserve] and [enhance] the urban fabric through a more urban site and building design,” and include specifications for the treatment of exterior walls and facades, roofs, entrance locations, parking lots, outdoor storage and loading areas, pedestrian circulation and central features. Since the proposed grocery store will contain 58,000 square feet of gross floor area, it must be reviewed against the applicable standards for large-format retail establishments.

The large-format retail establishment standards require that any building having 40,000 square feet or more of gross floor area incorporate wall plane projections or recesses having a depth of at least three percent 3% of the total length of the facade and extending at least 20% of the length of the façade, with no uninterrupted façade length exceeding 75 feet. Rooflines of large retail buildings are required to change in height every 75 linear feet in the building length, and rooftop mechanical equipment is required to be screened from view by integrated architectural elements, such as parapets. Ground floor facades that face or abut public streets with pedestrian and vehicular access are required to provide arcades, windows for vision, display, or daylighting, customer entrances, awnings, canopies, or porticos, and outdoor patios, or community features along no less than 60% of their horizontal length in a manner determined sufficient by the Plan Commission. Service and mechanical functions shall be incorporated into the overall building design and use screening and/or landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.

The large-format provisions require that a development have at least one element of one building with a maximum setback of 20 feet adjacent to a street frontage that abuts a right of way that is projected to have the most pedestrian activity associated with the building. While Cottage Grove Road is not expected to have the highest level of pedestrian activity in this area, staff feels that the intent of this requirement can be met if the entire town center development is implemented similar to the proposed general development plan.

Areas for outdoor storage, truck parking, trash collection or compaction and loading are required to not be visible from public or private abutting rights of way and are not to be located within 20 feet of any public or private street, public sidewalk, or internal pedestrian way. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Additionally, the standards require that large-format retail establishments have a high degree of onsite pedestrian circulation and connectivity to public sidewalks, and that at least one central feature and community space occupying a minimum of 400 square feet in area be provided for each 40,000 square feet of building. The ordinance allows for patio seating areas, pedestrian plazas, planter walls and other similar amenities to be incorporated into the site design to meet this requirement, which Planning staff feels can adequately be met for the proposed grocery store by the pedestrian plaza that will extend through the parking area, and by the plaza space that will be located at the southwestern corner of the store.

The large-format retail provisions require that a Transportation Demand Management Plan (TDM) be submitted for any store that exceeds 40,000 square feet of floor area and will employ more than 100

employees. The zoning text for the amended general development plan indicates that a TDM for the entire town center development will be submitted for review with the first specific implementation plan.

After reviewing the proposed general development plan-level information provided for the 58,000 square-foot grocery store, the Planning Division believes that the proposed building can generally meet the large-format retail establishment ordinance provisions. However, the plans for the proposed grocery store included with the Amended PUD-GDP request are not drawn with enough detail to determine if all of these standards are fully met. If the amended general development plan is approved, the ability to fully meet these requirements will be more closely reviewed as part of the specific implementation plan that is required to be prior to construction of the grocery store commencing.

Kilpatrick Lane Cul-De-Sac

As noted in the Project Review section of this report, the applicant is proposing to cul-de-sac the existing eastern section of Kilpatrick Lane east of the rear wall of the proposed grocery store. Should the Plan Commission choose to approve the development as submitted, staff believes that an affirmative statement should be included in the preliminary plat approval to grant a waiver to the requirements in the Subdivision Regulations that generally restricts the use of cul-de-sacs in subdivision design. Sec. 16.23(8)(a)1 states that:

“Cul-de-sacs shall not be used in any street layout, unless the topography or other unique physical feature of a development makes cul-de-sacs the only, or most logical, street layout. Where cul-de-sacs are determined to be necessary, a sidewalk, connecting path or multi-use path shall be provided to connect to another public right of way unless topography or other unique physical features make this connection impossible.” Sec. 16.23(8)(a)2 further states that “Proposed streets shall extend to the boundary lines of the subdivision unless prevented by topography or other physical conditions; or unless in the opinion of the Plan Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision and for the advantageous development of the adjacent lands.”

Staff typically does not support the inclusion of cul-de-sacs in the initial design of subdivisions. In this case, however, the Planning Division believes that the Plan Commission could find that the construction of a cul-de-sac for Kilpatrick Lane west of McLean Drive to be acceptable. According to a conceptual grading plan included in the application materials, a 14-foot grade change is proposed from the eastern edge of pavement at the rear of the town center to the rear lot line of the residential lots at the western end of Kilpatrick, with another 7 feet of west-to-east slope approaching the proposed cul-de-sac bulb. The primary reason for the cul-de-sac is the location of the proposed grocery store and the resulting grading plan. This could be considered enough of a unique feature of the development to justify the cul-de-sac. The resulting street does not work with the current plans for the town center. If the cul-de-sac is approved, a privately maintained sidewalk is proposed to provide connectivity to the town center for the residents of Kilpatrick Lane.

Conclusion

The developer and applicant, Veridian Homes, is requesting approval of an amended and expanded Planned Unit Development zoning district for its Grandview Commons Town Center to facilitate the

future development of 109,000 square feet of retail and office space including a 58,000 square-foot grocery store, a 24,000 square-foot public library and up to 110 multi-family residential units on 2 sites.

The amended and enlarged general development plan to facilitate the development of the grocery store represents a dramatically different vision for the neighborhood mixed-use center first than was envisioned for this portion of the Sprecher neighborhood when the neighborhood development plan and later Grandview Commons Planned Unit Development were approved 14 and 10 years ago, respectively. Both of those plans called for a smaller neighborhood mixed-use center in both geographic area and scope. However, the applicant indicates that they have had difficulty implementing the smaller scale neighborhood center and assert that a larger town center anchored by the 58,000 square-foot grocery store will provide the catalyst the project needs to make the other neighborhood serving retail, service and convenience uses that were originally envisioned possible.

In order for the proposed Amended PUD-GDP zoning map amendment to be approved, amendments to the Sprecher Neighborhood Development Plan and the Comprehensive Plan Generalized Future Land Use Map must first be approved. A separate Planning Division staff report by Michael Waidelich is included with the materials related to the plan amendment requests, ID 24356 & 25098, amending the Generalized Future Land Use in the Comprehensive Plan, and ID 24357, amending the Sprecher Neighborhood Development Plan. That staff report examines the proposed land use plan amendments in considerable detail and should be used as a reference when considering the proposed Amended PUD-GDP and preliminary plat. As noted in the plan amendment staff report, Planning staff believes that if the amendments to the Sprecher Neighborhood Development Plan and the Comprehensive Plan are approved, those approvals would allow for favorable consideration on the Amended PUD-GDP zoning and plat.

While Planning staff agrees that the proposed grocery store could result in a neighborhood mixed-use center with a character different than what was previously envisioned, staff believes that the amended and expanded town center still has the potential to create an attractive and vibrant center that will serve as an important activity node for the Sprecher and Cottage Grove neighborhood planning areas, which was one of the goals when this area was first proposed as the Southwest Neighborhood Commercial Center in the Sprecher Neighborhood Development Plan. Planning staff acknowledges that a 58,000 square-foot store will have different visual and operational characteristics than would a smaller store. With appropriate conditions of approval, staff believes that the Amended PUD-GDP can meet the standards and criteria for approval for zoning map amendments and planned unit developments with the important caveat that the resulting development must result in an attractive, integrated and well-planned neighborhood mixed-use center with a high degree of good pedestrian connectivity.

In general, careful review of the future specific implementation plan requests that follow the general development plan (should it be approved) will be required to ensure that individual projects adhere as closely as possible to the vision promoted in the Amended Grandview Commons Town Center General Development Plan and the amended Sprecher Neighborhood Development Plan and Comprehensive Plan. At the time that a specific implementation plan for the proposed grocery store is submitted, a more thorough review of that building's conformance with the Large-Format Retail Establishments criteria will be conducted, at which time more details about the final design and operation of the store will be fleshed out.

On February 15, 2012, the Urban Design Commission recommended initial approval of the amended and expanded PUD-GDP zoning for Grandview Commons Town Center (see attached reports from December 7, 2011 and January 18, 2012 meetings; the report from the February 15 meeting will be forwarded as soon as it is drafted).

Staff Recommendations, Conditions of Approval & General Ordinance Requirements

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

If the Plan Commission supports the corresponding amendments to the Comprehensive Plan (ID 24356 and 25098) and the Sprecher Neighborhood Development Plan (ID 24357), the Planning Division believes that the Plan Commission can forward Zoning Map Amendments 3570 and 3571, rezoning 6002 Cottage Grove Road, 5901-5939 Sharpsburg Drive and 857 Jupiter Drive et al from Temp. A, PUD-GDP and PUD-SIP to Amended PUD-GDP and R2T, to the Common Council with a recommendation of **approval**, and forward the preliminary plat of Town Center Addition to Grandview Commons to the Common Council with a recommendation of **approval**, all subject to input at the public hearing and the conditions that follow from the Planning Division and other reviewing agencies:

1. That the Amended General Development Plan be revised per Planning Division and Zoning Administrator approval prior to recording as follows:
 - 1a. remove the sections entitled “Maximum Development & Maximum Dwelling Units” and “Projected Development” on page 22 of the February 8, 2012 document;
 - 1b. include language in the zoning text that requires a minimum of 50 percent of the gross floor area in the B block (Buildings B1-B4) be provided above the first/ ground floor to compel multi-story construction;
 - 1c. revise the “Parking” sections on pages 18 and 21 to note that parking for the B and C blocks will be established as part of the approval of the first specific implementation plan that proposes development on those blocks; the approximate parking counts shall be removed and the other three notes combined into one on the final zoning text (current page 18);
 - 1d. revise the family definition on page 18 to reference the R4 zoning district and also include a reference to the SR-V1 zoning district from the new Zoning Code (scheduled to be effective in 2012) as successor to the existing R4 district;
 - 1e. provide a range for the residential and non-residential uses on page 20, with clear minimums and maximums, and consider revising the title of this section to provide more certainty;
 - 1f. remove the “Accessory Building Regulations” section from page 18 (the gazebos and archways conceptually shown could be considered accessory buildings depending on their construction, and the existing telephone equipment shed that will remain is an accessory structure);
 - 1g. remove any references to the proposed R2T single-family lots from the final zoning text;
 - 1h. revise the list of permitted/ allowable uses in the zoning text to allow drive-up service windows as a conditional use to be approved at the time of specific implementation plan approval, and to remove small appliance sales and service, which is a duplicate of home appliances;
 - 1i. include in the permitted use section the following provisions for outdoor eating areas:
 - outdoor eating areas for restaurants, brewpubs, taverns, etc. shall be allowed as shown on approved specific implementation plans, or as minor alterations to approved and recorded specific implementation plans when approved by the Planning Division Director following a recommendation by the District Alderperson, with the following conditions or as otherwise provided for through the alteration process:
 - 1) Music: No additional outdoor amplification of sound is permitted.
 - 2) Outdoor eating areas shall be subject to the Plan Commission’s continuing jurisdiction, as provided for in Section 28.12(11)h.4.
 - 1j. limit the “Flex Space” section to Building E1; flex space may only be allowed in Buildings B1-B4 on a building by building basis and as an amendment to the general development plan at the time of the review of a specific implementation plan for those buildings;

- 1k. place the list of Permitted Uses into the body of the zoning text instead of in an appendix, as is currently drafted.
2. The letter of intent summarizing the project history, existing conditions and proposed development shall be separated from the zoning text for the project prior to the final approval and recording of the amended planned unit development. The final zoning text shall include the remaining "General Project Components" not removed in condition #1 in a format approved by the Planning Division.
3. Note: A more detailed review of the proposed grocery store's conformance with the standards for large-format retail establishments outlined in Section 33.24(4)(f) of the Urban Design Commission Ordinance will be conducted as part of the review and approval of a specific implementation plan for the store prior to construction.
4. That the developer work with City staff prior to the recording of this Amended PUD-GDP to develop an overall general development plan for the entire town center that aggregates the existing and future development approved for the three town center sites from the 2002, 2007 and 2012 approvals. The aggregate plan will be approved by the Director of the Planning Division and recorded with the documents for this PUD amendment to serve as the base plan for the entire town center.
5. That the Plan Commission finds the extension of Kilpatrick Lane to not be necessary for the advantageous development of the adjacent lands.
6. That any proposed non-compete clauses or private land use restrictions be submitted for approval by the Plan Commission and Common Council as part of future specific implementation plans for Grandview Commons Town Center, with the goal of ensuring that any such non-compete clauses or private land use restrictions not limit the ability for the approved general development plan for the mixed-use town center to be implemented to the fullest extent possible. The City may consider a restrictive covenant against the proposed town center lots to enforce this condition.
7. A detailed landscaping plan for Outlot 32 shall be submitted for approval by the Planning Division prior to final approval and recording of the final plat creating the residential lots on Kilpatrick Lane. The landscaping plan shall include a detailed grading plan for the area located between the rear yards of Lots P-643 and P-647 and the eastern edge of pavement at the rear of the grocery store and the size and species of landscape materials to be planted. The final landscaping plan shall be installed prior to the completion of grading activities in this area.
8. The developer shall submit reciprocal cross-access and shared parking easements and agreements to govern the town center development for the review and approval of the City Engineer, City Traffic Engineer and Planning Division Director prior to the recording of the final plat and first specific implementation plan.

The following conditions have been submitted by reviewing agencies:

City Engineering Division (Contact Janet Dailey, 261-9688)

9. The developer shall construct Gemini Drive and reconstruct portions of Big Dipper Drive, Orion Trail, Kilpatrick Lane to accommodate the re-platting of the property. If parking is expanded on Sharpsburg Drive, additional reconstruction of the existing street may be required.
 10. The developer shall make improvements to Cottage Grove Road as required by the City Engineering and Traffic Engineering divisions. Further, the developer shall meet with City staff to discuss the improvements and determine what temporary and permanent improvements will be required as part of the future specific implementation plan and final subdivision plat.
 11. The developer shall dedicate additional right of way on Cottage Grove Road for sidewalk if 8-foot wide sidewalks are required along Cottage Grove Road, as determined by City Engineering and Traffic Engineering.
 12. The developer shall execute a waiver for hearing and notice of assessments related to the reconstruction of Cottage Grove Road in 2015.
 13. The proposed sidewalk/ path connection from the end of Kilpatrick Lane to the eastern lot line of the proposed [town center] development shall be considered a Type V sidewalk, which is privately owned and maintained.
 14. The developer is proposing to install public water and sanitary sewer for this development. Dedication of public easements shall be coordinated with the final plat. Access easements for maintenance across the parking areas will be required if these improvements are outside of the public right of way.
 15. The developer is proposing expansion of the existing retention basin within the Grandview Commons plat to provide off-site stormwater management for this development. The expansion of the existing pond shall require a developer's agreement prior to the approval of any subsequent specific implementation plan or final plat.
 16. The developer shall submit the new subdivision plat/ replat to facilitate the necessary redevelopment concept. There are potential street realignments and street name changes associated with Big Dipper Drive and Kilpatrick Lane, which most likely will result in address changes to the existing Grandview Commons III Condominium property currently addressed as 6021 Kilpatrick Lane. Condominium amendment documents may be required.
 17. A partial street vacation and dedication allowing for a cul-de-sac street design and improvements are likely on the western end of the existing Kilpatrick Lane segment west of McLean Drive, which will now dead end near the eastern line of this proposed [town center] development.
18. The construction of this development 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.

19. This development is subject to impact fees for the Door Creek North– Phase 2 Sanitary Sewer and Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued (per MGO Ch. 20). The following note shall be placed on the face of the plans and final plat:

“Lots / buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued.”

20. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
21. The applicant shall execute a waiver of notice and hearing on the assessments for the improvement of Cottage Grove Road in accordance with Section 66.0703(7)(b) of Wisconsin Statutes and MGO Section 4.09.
22. The applicant shall construct sidewalk along Cottage Grove Road, Big Dipper Drive and Kilpatrick Lane to a plan approved by the City Engineer.
23. The applicant shall make improvements to Cottage Grove Road in order to facilitate ingress and egress to the development. The improvement shall include turn lanes and median improvements.
24. The approval of this development does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
25. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
26. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that 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.
27. The applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this planned unit development does not constitute or guarantee approval of the encroachments.
28. All work in the public right of way shall be performed by a City-licensed contractor.
29. 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 - dkahl@cityofmadison.com or 266-4816.

30. All damage to the pavement on Cottage Grove Road, Sharpsburg Drive, Big Dipper Drive and Kilpatrick Lane adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
31. 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.
32. This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Division may require individual control plans and measures for each building.
33. Prior to final 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 infiltration in accordance with Chapter 37 of the Madison General Ordinances; provide oil & grease control from the first 1/2" of runoff from parking areas, 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 the Madison General Ordinances.
34. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) izenchenko@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. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. 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.
35. 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).
36. 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.
37. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. (Per MGO 37.05(7))
38. Prior to approval of the project, 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.

39. 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 Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.

Traffic Engineering Division (Contact Bryan Walker, 267-8754)

40. The general development plan and plat shall be modified for and contain a number of improvements to adequately support the development, City concerns, and multimodal options.
41. Due to limited pedestrian-bike connections, the applicant shall work with Planning, City Engineering and Traffic Engineering staff to develop a pedestrian-bike plan for connections to McLean Drive, Cottage Grove Road, North Star Drive, Thompson Drive, and the Grandview Commons Neighborhood. The plan shall include cross-sections, intersection treatments, and right of way needs. The plan may require changes to the general development plan /plat and shall be approved as part of the general development plan and plat sign-off.
42. The applicant shall provide a considerable deposit for signing and marking for new traffic control measures, including on Sharpsburg Drive and its intersections with Gemini Drive and North Star Drive. This includes money for stops signs, parking, crosswalks and bike lanes.
43. To address potential traffic impacts on the surrounding neighborhood streets, the applicant shall provide a deposit of \$25,000 for traffic calming. Said monies shall be used at locations to be determined by the City and implemented under the City's traffic calming program, policies and procedures.
44. The applicant shall work with Planning, City Engineering and Traffic Engineering staff to develop an interim construction plan for Cottage Grove Road for the development until Cottage Grove Road is reconstructed in the future (currently planned for 2015).
45. To address concerns with conflicts and traffic concerns with the driveway on Cottage Grove Road to the storefront, the applicant shall work with Planning, City Engineering and Traffic Engineering staff to explore multiple options and site designs to reduce traffic conflicts and congestion problems associated with this proposed driveway. The proximity of the storefront entrance to Cottage Grove Road, and the site's building location exacerbates these concerns. Options shall include full closure, right-in/ right-out, and left-in. The plan may require changes to the GDP/plat and shall be approved by the Traffic Engineer as part of the GDP and plat sign-off.
46. The right of way for Gemini Drive shall be 80 feet wide with a 44-foot wide street, a 14-foot wide terrace on the west side, and a 20-foot wide terrace on the east side. The 20 feet includes a 6-foot sidewalk, 8-foot cycle track, and 6-foot tree/sign terrace.
47. Additional right of way may be required along Sharpsburg Drive for adequate transportation provisions, including at the intersection of Gemini Drive. The location of the library and reduction of streets to this part of the development makes this street and intersection a highly intense area for

which multiple treatments will be required to adequately support the multiple users and activities. The applicant shall work with Planning, City Engineering and Traffic Engineering staff to explore multiple options and site designs to develop a plan. The plan shall include cross-sections, intersection treatments, and right of way needs. The plan may require changes to the general development plan /plat and shall be approved by the Traffic Engineer as part of the general development plan and plat sign-off.

48. The site plan shall be revised to provide a 20-foot wide walkway along the grocery storefront from Cottage Grove Road to the central walkway and Big Dipper Drive. The 20 feet includes a 6-foot sidewalk, 8-foot cycle track, and 6-foot tree/sign terrace.
49. The site's northern walkway needs to provide a 3-5-foot wide terrace and buffer plus 8-foot sidewalk for shared use (to be connected from the property's eastern edge to the library and Gemini Drive).
50. Final details of the site plan parking lot and drive aisle widths, dimensions shall be finally reviewed and approved by the Traffic Engineer. Some drive lanes may need to be widened and/or relocated. The plan may require changes to the general development plan /plat and shall be approved by the Traffic Engineer as part of the general development plan and plat sign-off.
51. To increase pedestrian accommodations, all intersections of the site parking facilities with public streets shall be driveway-type connections, so the pedestrian sidewalk is elevated across the lanes.
52. Prior to GDP-SIP approval, the applicant shall be responsible for securing all proper permits and approvals for driveway approaches and proposed median breaks onto Cottage Grove Road (CTH BB) from the Dane County Highway and Transportation Department. The applicant shall provide copies of all approved permits to the Traffic Engineering Division prior to approval of plans.
53. The applicant will need enter into a developer's agreement contract with the City to pay for and provide the necessary improvements and roadway modifications that are required to support the proposed development, prior to final approval. The applicant may need to make improvements to the public streets considered temporary until such time as the ultimate improvements are undertaken.
54. The applicant will need to demonstrate how the truck service will ingress the truck loading area off of Cottage Grove Road as well as maneuver through the site and egress back onto Cottage Grove Road.
55. The applicant shall be responsible financially to maintain pavement markings and signage as approved by the City Traffic Engineer. The applicant shall at all times maintain crosswalks, stop bars and lane lines, and signage. The applicant shall show, lane dimensions, lane line color and width according to the Federal Highway Administration "Manual On Uniform Traffic Devices." in epoxy for lane lines, 12-inch cross walk lines, 24-inch stop bars, pavement markings details and signage to as approved by the City Traffic Engineer. In addition, a note shall be shown on the plan, "All pavement markings shall be installed in epoxy and maintained by the property owner."
56. The applicant shall be required to provide any necessary easements for the installation of street lights and traffic signals, including control boxes, loops, hand-holes, markings and signing.
57. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1"=20'.

58. 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.
59. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible. If the internal street is to be public, the developer shall provide an upfront capital fee for the annual upkeep and maintenance, to be determined by the Traffic Engineer.

Zoning Administrator (Contact Pat Anderson, 266-5978)

This agency did not submit comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

60. Final park dedication and development fees for any future multi-family residential units in the Town Center General Development Plan will be determined when specific implementation plans are submitted that include residential units. In addition, park fees will be required for the additional single-family lots proposed in the R2T zoning. The applicant must select a method for payment of park fees before final approval and recording of an PUD-SIP containing residential units or the final plat creating the single-family lots. This development is within the Door Creek impact fee district (SI23).

Fire Department (Contact Bill Sullivan, 261-9658)

61. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, and more specifically as follows: fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts. Building E1 includes street trees that would obstruct aerial access from the fire lane.
62. Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Water Utility (Contact Dennis Cawley, 261-9243)

63. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
64. All public water mains and water service laterals shall be installed by a standard City subdivision contract. A minimum 20-foot wide public water main easement shall be dedicated over those mains not located in the public right-of-way.

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Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.