

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
February 13, 2006

CONDITIONAL USE APPLICATION:

1. Requested Action: Approval of a conditional use permit for a restaurant located at 4841 Annamark Drive as part of a Planned Commercial Site.
2. Applicable Regulations: Section 28.09(2)(d)6 requires that outdoor eating areas of restaurants must obtain a conditional use permit. Section 28.04(24) provides the guidelines and regulations for Planned Commercial Sites.
3. Report Drafted By: Peter Olson, Planner II.

GENERAL INFORMATION:

1. Applicant: Jennifer Mowen, Greenburg Farrow Architects, 3455 Salt Creek Lane, Arlington Heights, IL 60005; and Raymond and Loraine Zeier, Annamark Group Z, LLC, 2211 North Stoughton Road, Madison, WI 53704.
2. Status of Applicants: Property owners and architect.
3. Development Schedule: The applicant wishes to commence construction of this proposed restaurant in the spring of 2006. The applicant hopes to have this facility ready for a grand opening in August 2006.
4. Parcel Location: Northwest side of Annamark Drive which is a frontage road along East Washington Avenue between the intersections of East Springs Drive and the I90-94 interchange, Aldermanic District 17, Madison Metropolitan School District.
5. Parcel Size: 73,526 square feet (1.69 acres).
6. Existing Zoning: C3 Highway Commercial District.
7. Existing Land Use: Vacant lot.
8. Proposed Use: Restaurant with outdoor eating area. This site is part of an 8-lot Planned Commercial Site.
9. Surrounding Land Use and Zoning: This property is surrounded by a mix of retail-commercial uses zoned C2 and C3.
10. Adopted Land Use Plan: CR-Regional Commercial.
11. Environmental Corridor Status: This property is not located within a mapped environmental corridor.

PUBLIC UTILITIES AND SERVICES:

This property is served by a full range of urban services.

STANDARDS FOR REVIEW:

This application is subject to the conditional use standards and the regulations for Planned Commercial Sites. The proposed restaurant is a permitted use in the C3 Highway Commercial District.

ANALYSIS, EVALUATION AND CONCLUSION:

The applicant wishes to construct a 1-story restaurant building to accommodate a "Texas Roadhouse" franchise restaurant on a vacant 1.69 acre site located at 4841 Annamark Drive. The proposed development is part of a 10 acre, 8 lot Planned Commercial Site. These lots were originally created as part of the "Regional East" development along East Washington Avenue and East Springs Drive, originally platted in 1996. These 8 lots are among the last remaining undeveloped sites in the East Towne Regional Commercial area. In the fall of 2004, the property owners, Raymond and Loraine Zeier, resubdivided the subject property and created the Zeier Planned Commercial Site development. The proposed Texas Roadhouse restaurant is the second application submitted for a development within this Planned Commercial Site. The proposed building and off-street parking facility closely follow the General Development Plan approved as part of the underlying Planned Commercial Site approval.

The Zoning Code allows sit-down, eat-in restaurants as a permitted use in all commercial districts, however, an outdoor seating area must obtain a conditional use permit. Planned Commercial Site criteria also require the review and approval of the Plan Commission and also the review and approval of the Urban Design Commission for each development site.

This lot is relatively level with a fall of only 5-feet from the Annamark Drive right-of-way to the most southerly lot corner over the lot depth of approximately 390-feet. The proposed restaurant structure will be 1-story in height and located in the northerly 1/3 of the underlying lot. The approved Planned Commercial Site-General Development Plan calls for a vehicular drive aisle with double-loaded parking stalls to be located between the proposed restaurant, the adjacent proposed commercial buildings and the Annamark Drive right-of-way (see attached Planned Commercial Site-General Development Plan). In addition, the main parking lot to support the proposed restaurant will be located to the southeast of the building. This arrangement is also in accordance with the approved Planned Commercial Site-General Development Plan. A total of 149 off-street parking stalls (including 7 handicapped accessible stalls) will be provided on this development site. An additional 25 parking stalls will be constructed on the two lots adjacent to the subject property for temporary construction parking. These temporary parking stalls will also be configured in accordance with the underlying approved Planned Commercial Site General Development Plan and will remain to support future development.

The applicant has submitted a landscape plan which should provide an attractive setting for the proposed building, in addition to screening the off-street parking facilities from the adjacent street rights-of-way. This development site is surrounded by other highway commercial and

office uses (or proposed uses) and should have no adverse impact on the surrounding existing development pattern.

This proposal will include a small outdoor patio for use during appropriate weather conditions for those who wish to dine outdoors or to accommodate smokers. The Zoning Code requires that outdoor eating areas for restaurants must obtain a conditional use permit. The location of this outdoor eating area will be adjacent to the proposed building and be directly accessible from the main dining area at the most westerly corner of this structure. This outdoor eating area will be screened with appropriate landscape materials. Planning Unit staff feels that the proposed outdoor eating area for this restaurant should be able to meet the conditional use standards.

Planned Commercial Sites require the review and approval of the Urban Design Commission. Initially, the Urban Design Commission, at their January 11, 2006 meeting, on a 5-3 vote, recommended rejection of this development proposal, citing numerous reasons for this recommendation (see attached report dated January 11, 2006). An initial motion to grant initial approval of the project failed on a 3-5 vote. The applicant subsequently reviewed the list of concerns and suggestions, modified the proposed plans and returned to the Urban Design Commission addressing these issues to the Commission's satisfaction. At their January 25, 2006 meeting, the Urban Design Commission recommended initial approval of the modified development plans. Planning Unit staff applauds the applicant for appropriately responding to the Urban Design Commission's concerns and modifying the site plans and building elevations in a manner acceptable to the Urban Design Commission. The applicants will be returning to the Urban Design Commission in the near future for final approval.

RECOMMENDATIONS:

The Planning Unit recommends that the Plan Commission find that the conditional use and ordinance standards are met and approve a conditional use for a restaurant with an outdoor eating area as part of a Planned Commercial Site located at 4841 Annamark Drive, subject to input at the public hearing and the following conditions:

1. Reviewing agency comments.
2. The applicant shall obtain final approval from the Urban Design Commission for the proposed development prior to obtaining final sign-off on the development plans.

DRAFT

AGENDA # 3

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: February 8, 2006

TITLE: 4841 Annamark Drive – Planned
Commercial Site, Restaurant, Texas
Roadhouse. 17th Ald. Dist.

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: February 8, 2006

ID NUMBER:

Members present were: Paul Wagner, Chair; Ald. Noel Radomski, Lou Host-Jablonski, Lisa Geer, Michael Barrett, Jack Williams, Bruce Woods and Cathleen Feland.

SUMMARY:

At its meeting of February 8, 2006, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a restaurant project, “Texas Roadhouse”, a Planned Commercial Site located at 4841 Annamark Drive. Appearing on behalf of the project were David Behrens and Jennifer Mowen, architects. In response to the Commission’s previous review of the project, the revised plans featured the following:

- The lighting and photometric plan had been adjusted to reduce excessive footcandle levels with details provided on the fixture cutsheets relative to the requirement for full cut-offs.
- All building elevations have been modified to provide for the application of a full brick veneer façade, combined with a stone wainscot base at the same time maintaining the standing seam metal roof elements.
- Horizontal banding consisting of soldier course brick has been added atop the base wainscoting and below sills of windows, in addition to upper parapet treatment.
- Previously proposed flags and uplighting have been removed, combined with the removal of previously proposed LED striping outlining the building.
- Signage has been modified to provide for the recessing of neon in proposed wall signage. An additional trellis element has been added around the outdoor patio area.

Following the review of the plans, the Commission expressed concerns on the following:

- The lighting plans still feature some hot spots, in the range of 13-17 footcandle levels.
- Still have problems with architecture looking busy, with false cupola effect and conflicts with the stone and brick combinations.
- Issues with windows on blank portions of the south and east façades remain; require “eyes on the street” and the need to provide for daylighting on some portions of the elevation.
- There is a lighting issue with the use of proposed walpac fixtures on the rear of the building; should be fully shielded.

- Still need trees in parking lot islands such as the northwesterly island adjacent to the north/south drive aisle, as well as the island containing the pylon sign along the frontage road where lower height ornamental trees can be incorporated to reduce the heat effect.
- The project is much improved over the previous version.

ACTION:

On a motion by Feland, seconded by Williams, the Urban Design Commission **GRANTED INITIAL APPROVAL** of the restaurant project. The motion was passed on a vote of (5-3) with Wagner, Barrett and Host-Jablonski voting no. The motion required that the photometric plan be reexamined to reduce hot spots, provide additional shade trees in the tree islands along the frontage road as previously noted, and incorporate windows within the office and men's room area on the easterly and southerly façades to address daylighting and "eyes on the street" concerns as appropriate.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 3, 4, 4.5, 5, 5, 5, 5 and 6.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 4841 Annamark Drive

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	5	5	6	5	4	5	4	5
	3	3	3	3	3	2	1	3
	6	3	6	5	4	6	4	4
	5	5	5	5	5	5	5	5
	-	5.5	-	-	-	-	3	4.5
	5	5	6	5	4	5	5	5
	6	5	6	5.5	5	5	5	5
	6	6	6	5	6	7	6	6

General Comments:

- This amount of parking is outrageous: 146 stalls for 7,000 square feet!!! It sits next to a building that also has too much parking and will be closed during this restaurant's operating hours.
- Suburban sprawl restaurant development.
- Somewhat better building, located in City-sanctioned sprawl.
- Improvement over previous application.
- Addition of the pervious parking is a major improvement to the overall paving. Please add shade trees in parking lot islands for the heat reduction. You may use an ornamental tree under the pylon sign.

AGENDA # 9

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: January 11, 2006

TITLE: 4841 Annamark Drive – Planned
Commercial Site, Restaurant, Texas
Roadhouse. 17th Ald. Dist.

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: January 11, 2006

ID NUMBER:

Members present were: Paul Wagner, Chair; Lisa Geer, Cathleen Feland, Robert March, Ald. Noel Radomski, and Lou Host-Jablonski, Todd Barnett and Michael Barrett.

SUMMARY:

At its meeting of January 11, 2006, the Urban Design Commission **REJECTED** a Planned Commercial Site for a restaurant (Texas Roadhouse) located at 4841 Annamark Drive. Appearing on behalf of the project were Christopher Thiel and David Behrens. Prior to the review of the plans, staff noted to the Commission that provision for the "Planned Commercial Site" development involving all the undeveloped lands within this block under the ownership of the Zeier's, including this development parcel, had been previously approved by both the Urban Design Commission and Plan Commission with the development of the former "Krispy Kreme" site in the fall of 2004. The approved "Planned Commercial Site" plan provides for the development of this lot as well as adjoining to be developed lots consistent with the specifics of the plan regulating the size and placement of buildings, the configuration of parking, access and driveways, including details as to landscaping, detention/retention/bioretenion and other elements. Staff noted that upon preliminary review of the project that the project as proposed was consistent with the previously approved parameters for the Planned Commercial Site. Staff also noted to the Commission that consistency with the previous plan is a requirement with the Commission charged to look at the details relevant to landscaping, building design, architecture and signage. The applicant provided an overview of the plans for development of a "Texas Roadhouse" restaurant on the site featuring extended elements above a primarily one-story structure in a western motif featuring a brick wainscot base, both vertical and horizontal cedar stained cedar siding, and a standing seam metal roof elements. Following an overview of the site and landscape plan details, the Commission expressed concerns on the following:

- Although there are a lot of chain-themed restaurants around the East Towne area, the project is a step beyond others. Expect to see in the Wisconsin Dells not in Madison.
- Prototypical design is an issue, not acceptable in this area as the gateway to Madison.
- An issue with uplighting of the flags on the roof with night sky lighting compliancy.
- Look at a "no-mow" seed mix in the detention area; both plantings have a survivability issue.
- Provide more shade trees in the off-site parking area.
- Examine replacing the picture windows with double-hung windows, as well as the alignment of windows and orientation to the north and west instead of the south and east.

- The façade of the south and east elevations are blank and lack windows and fenestration. Office space on the south side of the building could have windows, as well as storage areas and restrooms on the north elevations incorporating high windows to accommodate daylighting.
- Acknowledging that the basis for the site plan was previously approved as part of a Planned Commercial Site; there are too many parking stalls proposed.
- Issue with consistent orientation of brick (on elevations as presented), as well as coloration of the proposed cedar siding.
- Issue with the use of banners as displayed with an existing restaurant within the area.
- The lighting/photometric plan is over lit featuring excessive footcandle levels. The fixture cutsheets do not provide for the need to have full cutoffs.
- Look at adding impervious pavement in parking lot and adjust grades appropriately to accommodate adjacent to detention area.
- The use of LED and/or neon to frame elements of the upper building elevation is not acceptable.
- The signage package details for wall signs are inconsistent with the provisions of the Street Graphics Ordinance.
- The use of exposed neon tubing on wall signage and the ground sign is not acceptable.

ACTION:

On a motion by March, seconded by Host-Jablonski, the Urban Design Commission **RECOMMENDED REJECTION** of the development of a “Texas Roadhouse” restaurant on the site located at 4841 Annamark Drive based on the above stated issues and the following:

- The project as proposed is not good urban design for this area.
- Not good urban design, issue with project defining entry to the City.

The motion was passed on a vote of (5-3) with Geer, Ald. Radomski and Feland voting no and Wagner, March, Host-Jablonski, Barnett and Barrett voting in favor. A previous motion to grant initial approval of the project (with the above stated comments to be addressed) by Geer, seconded by Feland, failed on a vote of (3-5) with Ald. Radomski, Geer and Feland voting in favor and with Host-Jablonski, March, Barrett, Barnett and Wagner voting no.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 1, 4, 4, 4, 4, 5, 6 and 6.5.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 4841 Annamark Drive

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	-	-	-	-	-	-	4
	6	6	7	5	6	7	6	6.5
	6	2	6	6	4	5	2	4
	2	2	2	2	-	1	1	1
	-	5	7	8	5	6	5	6
	2	3	-	-	6	-	-	4
	4	4	6	-	4	-	3	4
	-	-	-	-	-	-	-	5

General Comments:

- Too much impervious area. Billboard architecture.
- This would be a bad image architecturally for the City of Madison. Looks like Wisconsin Dells.
- This building has no business defining the entrance to our City.
- Ho-hum chain restaurant.
- Simply a poor entrance to our City. This is clown architecture, and lousy urban design.
- No mow fescue may not be appropriate in low end of detention area, substitute more moisture tolerant plans. Like the paver crosswalks which designate the pedestrian area. Great that you included both shade trees as well as a walk in the interior islands. In the off-site parking islands more shade trees need to be added for shade and heat reduction if they are not temporary.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dalley, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: January 27, 2006

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 4841 Annamark Drive Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Owner shall adjust public sanitary sewer access structures within the City Developer Agreement that is required for public storm sewer extension.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.

Name: 4841 Annamark Drive Conditional Use

General

- 1.1 The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

Right of Way / Easements

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- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along _____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
- 3.8 The Applicant shall make improvements to _____ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) _____.
- 3.9 The Applicant shall make improvements to _____. The improvements shall consist of _____.
- 3.10 The approval of this Conditional Use 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.
- 3.11 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.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way.

The approval of this development does not constitute or guarantee approval of the encroachments.

- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.

Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.5 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.6 The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
- 4.7 The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
- 4.8 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.9 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.10 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
 - Detain the 2 & 10-year storm events.
 - Detain the 2, 10, & 100-year storm events.
 - Control 40% TSS (20 micron particle).
 - Control 80% TSS (5 micron particle).
 - Provide infiltration in accordance with NR-151.
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.11 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.12 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.13 The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats and contain the following data, each on a separate layer name/level number:

- a) Building Footprints
- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)

- f) Lot lines
- g) Lot numbers
- h) Lot/Plat dimensions
- i) Street names

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com . Include the site address in this transmittal.

- 4.14 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.15 The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.16 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a) SLAMM DAT files.
- b) RECARGA files.
- c) TR-55/HYDROCAD/Etc...
- d) 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.

Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.

- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

B



CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295

Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: January 26, 2006
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **4841 ANNAMARK DR**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. No fire access lane has been shown on the plans. If the turnaround on the north end of the parking lot is used as fire department access the minimum required diameter is 70 feet; plan shows 60 feet. Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28 feet. The North driveway turning radius does not comply with this code if needed for part of the fire access lane. Show an approved lane on the site plan.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

2. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path **traveled by the fire truck as the hose lays off the truck**. See MGO 34.20 for additional information.
3. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows: (**commercial structures only**)
 - a. The site plans shall clearly identify the location of all fire lanes.
 - b. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure.
 - c. A dead-end fire lane that is longer than 150-feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45 degree wye, 90 degree tee) at the end of a fire lane that is more than 150-feet in length.
 - d. Provide a minimum unobstructed width of 26-feet for at least 20-feet on each side of the fire hydrant.
 - e. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact John Lippitt, MFD Fire Protection Engineer, at 608-261-9658 if you have questions regarding the above items.

cc: John Lippitt

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: February 2, 2006

To: Plan Commission

From: Kathy Voeck, Assistant Zoning Administrator

Subject: 4841 Annamark Dr.

Present Zoning District: C-3

Proposed Use: Construct Roadhouse restaurant on a Planned Commercial Site

Conditional Use: 28.09((2)(d)6. Outdoor eating areas of a restaurant are a conditional use. 28.04(24) Planned Commercial Sites require approval by the Plan Commission and Urban Design Commission with a reciprocal land use agreement approved by the Traffic Engineer, City Engineer, and Director of Planning and Development recorded in the office of the Dane County Register of Deeds. The Urban Design Commission and the Plan Commission shall retain continuing jurisdiction over the entire site.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). NONE.

GENERAL OR STANDARD REVIEW COMMENTS

1. Provide an outside seating plan showing chairs and tables. The parking requirement of 30% of the seating capacity shall include the outside seating area.
2. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
3. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot.

4. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Signage shall be approved by the Urban Design Commission and Zoning. Permits must be issued by the Zoning Section of the Department of Planning and Development.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	73,526 sq. ft. + .404 ac in the ROW for parking
Lot width	50'	190'
Usable open space	n/a	n/a
Front yard	0'	77'
Side yards	0'	63' & 27'
Rear yard	10'	219'
Floor area ratio	3.0	less than 1.0
Building height	----	1 story

Site Design	Required	Proposed
Number parking stalls	72 inside capacity 239 seats <u>Unknown outside capacity</u> 86 total (bldg code capacity is 287)	115 on site <u>31 off-site area (temporary)</u> 146 total
Accessible stalls	5	6
Loading	1 (10' x 35') area	provided
Number bike parking stalls	12	provided
Landscaping	Yes	(2)
Lighting	No	(3)

Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	None shown
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.