

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of October 10, 2007**

RE: I.D. # 07720, Conditional Use Application – 1513 Lake Point Drive

1. Requested Action: Approval of a conditional use for a drive-up window as part of a two-building office-retail development located at 1513 Lake Point Drive.
2. Applicable Regulations: Section 28.09 (3)(d) identifies drive-up service windows as conditional uses in C2 zoning. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant & Property Owner: Scott Norton, Norton Building Systems; 5121 Hilltop Lane; Madison.

Agent: Steve Shulfer, Shulfer Architects; 1918 Parmenter Street, Suite 2; Middleton.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been granted, with completion anticipated in November 2008.
3. Location: Approximately 3.2-acres generally located 200 feet west of Bridge Road on the north side of W. Broadway and the south side of Lake Point Drive; Aldermanic District 14; Madison Metropolitan School District.
4. Existing Conditions: Undeveloped land, zoned C2 (General Commercial District).
5. Proposed Land Use: The applicant wishes to construct two two-story office-retail buildings with a total of 38,000 square feet of floor area that will include a drive-up/ thru window for one of the first floor retail tenants.
6. Surrounding Land Use and Zoning:
North: Monona Shores apartments, zoned R4 (General Residence District);

South: WPS Insurance in the City of Monona;

East: Cranberry Creek Cafe, zoned C2 (General Commercial District);

West: Lake Point Terrace apartments, zoned R3 (Single and Two-Family Residence District) and R5 (General Residence District).

7. Adopted Land Use Plan: The Comprehensive Plan identifies the subject site for neighborhood mixed-use development. The West Broadway Redevelopment Area Master Plan recommends this area for mixed-use/ housing and commercial retail uses.
8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the conditional use standards of Section 28.12 (11).

PREVIOUS APPROVAL

On May 1, 2006, the Plan Commission approved a planned residential development and planned commercial site for this site that was comprised of 50 residential condominium units and 16,412 square feet of first floor commercial space in three buildings under the existing C2 zoning.

ANALYSIS, EVALUATION & CONCLUSION

The applicant is requesting approval of a conditional use to allow a drive-up service window to be provided as part of a two-building office-retail development to be constructed on the 3.2-acre subject site, which is located at 1513 Lake Point Drive, approximately 200 feet west of Bridge Road. The southern edge of the site also abuts W. Broadway, which runs parallel to Lake Point Drive adjacent to the property.

The subject site is a relatively flat and currently undeveloped site comprised of four lots created by Certified Survey Map in 2006 following the approval of an earlier proposal for a mixed-use residential and retail project on the site, which has subsequently been abandoned for the current proposal. The site was once part of the larger Monona Shores apartment development, which was purchased by the Madison Community Development Authority in 1995. The CDA demolished the residential buildings that previously occupied the site. The property was rezoned from R5 to C2 in 2003 in part to support the designation of the site for mixed-use/ housing and commercial retail uses in the West Broadway Redevelopment Area Master Plan.

The new development proposal for this property calls for the construction of a two-story building on the western half of the lot that will include approximately 8,550 square feet of first floor retail space and approximately 6,500 square feet of second floor office space. A second building of similar design and office-retail programming will include 19,165 square feet of floor area to be located near the center of the lot. The two buildings will be connected to each other by an

enclosed second floor walkway. A third lot for future development is shown east of the eastern building between this project and the Cranberry Creek Café, which abuts the property on the east.

Parking for 125 automobiles will be provided primarily in double-loaded drive aisles to be located between the north walls of the proposed buildings and Lake Point Drive and the south walls and W. Broadway. Access to the proposed office-retail development will be provided by a driveway connection from both Lake Point Drive and W. Broadway. A future connection to the Cranberry Creek Café property, which is owned by the applicant and has its own driveway onto Lake Point Drive, is shown conceptually. At the time the future building area is developed and the conceptual connection is made, the City will require the appropriate cross-access easements and shared parking agreements.

The two two-story buildings to be constructed with the current proposal will be constructed primarily with a stucco-like exterior material, with cultured stone to be used along portions of the first floor. The primary entrances for the first floor retail spaces appear to be oriented towards W. Broadway and not to the residential neighborhood to the north, though pedestrian linkages to the north and north-facing doors are shown on the plans. Landscaping for the project will consist of a variety of under-story deciduous and ornamental trees and deciduous shrubs located around the perimeter of the site. A raingarden will be located in the southeast corner of the property to serve the project.

The drive-up service window is proposed to be located along the western wall of the western of the two buildings. The drive-up will include a menu board adjacent to the northwestern corner of the building, with a southbound queue that has been redesigned to address an earlier concern expressed by the Traffic Engineering Division about conflicts between vehicles exiting the drive-up and vehicles entering the site from the W. Broadway driveway.

The Comprehensive Plan identifies the subject site is for neighborhood mixed-use development, while the West Broadway Redevelopment Area Master Plan recommends the site for mixed-use/housing and commercial retail uses. The project generally reflects the recommendations of both of these planning documents, though certainly less so than the plan that was approved for the site in 2006 but not built. The project generally complies with the underlying C2 commercial zoning, which allows all but the proposed drive-up service window as permitted uses.

In reviewing the conditional use standards against the drive-up window proposal, the Planning Division believes that the standards can be met. The proposed drive-up window should have minimal impacts on the nearby residential properties to the north and west. The drive-up window will be approximately 70 feet from the western property line. In addition, the drive-up window will be over 200 feet from the nearest residential building in the multi-family development to the west. However, the Plan Commission may consider limitations on the hours of operation on the drive-up window to address any concerns about noise generated by the menu board speaker or vehicles in the queue if any such concerns are expressed at the public hearing.

Finally, the applicant has submitted the project for review by the Urban Design Commission at the request of staff. The subject property is not a planned development, is not located in an Urban Design District and staff does not feel that the drive-up window conditional use falls under the provision in the Zoning Ordinance that allows the Plan Commission to refer conditional uses to the Urban Design Commission for review prior to Plan Commission action. However, staff felt that the Urban Design Commission might be able to offer the developer some advice on how to make the proposed development, which is permitted except for the drive-up window, a better project for this redeveloping area of the City. The Urban Design Commission will not take this matter up before the scheduled Plan Commission date. However, Planning Division staff will work with the applicant to incorporate the Urban Design Commission's input on the project into the final approved plans for the overall development.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find the conditional use standards are met for a drive-up service window as part of a two-building office-retail development located at 1513 Lake Point Drive, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant work with Planning Division staff to incorporate the input provided by the Urban Design Commission during the applicant's voluntary review of the project.



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
1 866 704 2315 Textnet

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

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Manager
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

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

Financial Officer
Steven B. Danner-Rivers

DATE: October 1, 2007
TO: Plan Commission
FROM: *for* Larry D. Nelson, P.E., City Engineer
SUBJECT: *for* 1513 Lake Point 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. Dimension width of driveways at property line and curb.
2. At the new driveway on West Broadway the proposed culvert shall be connected to the existing pipe coming out of the inlet on Broadway using a 3'x3' SAS. A new 18" RCP apron end shall be placed out of this structure to the west to follow ditch drainage.
3. Show proposed sanitary lateral. Connection shall not be allowed within limits of proposed pond.
4. Clarify if the proposed stormwater management measures shall satisfy requirements for the future development of Lot 3.
5. Due to the proposed change in the development plan for this site, a new Certified Survey Map shall be approved and recorded in conjunction with this conditional use application to subdivide the property and create new property lines consistent with this plan layout.
6. Submit complete floor plans in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) for coordination and assignment of an address plan for this development.

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: 1513 Lake Point 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

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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 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko lzenchenko@cityofmadison.com or (608) 266-5952
- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for the _____ Impact Fee District for Lot(s) _____ of the _____ Plat/CSM. The current rate is \$ _____ /1000SF for a total of \$ _____. The Developer shall select one of the following two options for payment of these fees:
 - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
 - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off;
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
 - b) All information shall transmitted to Janet Dailey by e-mail at jdailey@cityofmadison.com, or on a CD to:

Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).

Right of Way / Easements

- 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.
- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
 - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
 - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
 - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division. The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
 - b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.

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.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.
- 4.6 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.
- 4.7 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.
- 4.8 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.
- 4.9 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) off of new paved surfaces
 - Control 80% TSS (5 micron particle) off of new paved surfaces
 - Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.
 - 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.

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

- 4.10 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.
- 4.11 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.
- 4.12 The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format 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.

- 4.13 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 dedicate 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.

- 4.14 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).
- 4.15 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.
- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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 be 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 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, invert elevation, and alignment of the proposed service.



Traffic Engineering Division

David C. Dryer, City Traffic Engineer

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608/266-4761
TTY 608/267-9623
FAX 608/267-1158

October 4, 2007

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **1513 Lake Point Drive – Conditional Use –Drive up Window for Restaurant as Part of Two Building Office/Retail**

The City Traffic 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. The applicant's contractor shall be responsible for securing all proper permits and approvals from Dane County Highway and Transportation Department for grading along County Trunk Highway right-of-way. The contractor shall provide copies of all approved permits to Traffic Engineering prior to approval of plans. Dane County Highway is the government unit having jurisdiction onto West Broadway. County Permit Number 2C-23 issued October 31, 2002 was void for one year after the date it was issued. The applicant is responsible for obtaining a new permit.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

GENERAL OR STANDARD REVIEW COMMENTS

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

3. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 40' or larger.

4. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements and show on plan sheets.
5. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
6. The drive-thru shall be clearly identified with pavement markings and signage and the service point shall be shown. The applicant shall provide to Traffic Engineering for approval, a signage and Queuing Model showing provision for adequate queue storage that prevents queue interference with pedestrian or other vehicular movements. The Queuing Model shall show four (4) vehicles stacked (9 ft. by 20 ft) per each service point not to interfere with parking or pedestrian traffic.
7. 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.
8. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Steve Shulfer
Fax: 608-831-0529
Email: sjshulfer@shulferarchitects.com

DCD:DJM:dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: October 4th 2007

To: Plan Commission
From: Matt Tucker, Zoning Administrator
Subject: 1513 Lake Point Drive

Present Zoning District: C-2

Proposed Use: Build a new 37,841 sq. ft. retail/office development, with a restaurant with a drive-up window.

Conditional Use: 28.09(3)(d)9 A drive-up facility is a conditional use.

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. Meet all applicable State accessible requirements, including but not limited to:
 - a. Show signage at the head of the accessible stalls.
 - b. Show the accessible path from the stalls to the building.
 - c. Show ramps, curbs, or wheel stops where required.

2. Provide 13 bike parking stalls in safe and convenient locations on an impervious surface to be dispersed throughout the center to be shown on the final plan. Provide a minimum of 3 of the stalls near the entrance to the proposed restaurant. Racks or equivalent structures upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

3. 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.

4. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards.
5. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Signage must be approved by the Zoning Section. Sign permits must be issued by the Zoning Section of the Department of Planning and Development prior to signage installations.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	139,262 sq. ft.
Lot width	50'	Adequate
Usable open space	n/a	n/a
Front yard	0'	Adequate
Side yards	0'	Adequate
Through lot	0'	Adequate
Floor area ratio	2.0	Less than 1.0
Building height	---	2 story

Site Design	Required	Proposed
Number parking stalls	30% capacity of restaurant 1 per 300 q. ft. for retail/office	125
Accessible stalls	5	6 (1)
Loading	1 (10' x 35')	1
Number bike parking stalls	13	12 (2)
Landscaping	Yes	(3)
Lighting	No	(4)

Other Critical Zoning Items	
Urban Design	No
Flood plain	No
Utility easements	Yes
Barrier free (ILHR 69)	Yes

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

Zoning has no conflict with the proposed conditional use.



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: October 5, 2007
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **1513 Lake Point Drive (Revised)**

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.)

None.

GENERAL OR STANDARD REVIEW COMMENTS

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

1. 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 completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

cc: Bill Sullivan