



PREPARED FOR THE PLAN COMMISSION

Project Address: 302 S. Gammon Road (9th Ald. Dist, Ald. Skidmore)
Application Type: Demolition Permit, Conditional Use and Certified Survey Map Referral
Legistar File ID #: [48334](#) and [45253](#)
Prepared By: Sydney Prusak and Timothy M. Parks, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, Planning Division

Summary

Applicant & Property Owner: John Livesey; The Livesey Company; 2248 Deming Way; Middleton, WI 53562

Contact: Melissa Huggins; Urban Assets; 807 E. Johnson Street; Madison, WI 53703

Requested Action: The applicant seeks approval of a demolition permit and conditional use to demolish an office building and construct an office building, an office/telecommunications center building, and two general commercial buildings with potential future food and beverage establishments with outdoor eating areas, as part of a multi-phase redevelopment project on land generally addressed as 302 S. Gammon Road.

Proposal Summary: The applicant proposes to demolish the former “Wisconsin Farm Bureau” and “Famous Footwear” office building to construct Phase One of “West Place,” a planned multi-use site development that includes two office buildings, a five-story, 80,000 square-foot headquarters office for Nativus Health Solutions, LLC, and a two-story, 30,000 square-foot specialty pharmacy building for Lumicera Health Solutions. The first phase of the planned redevelopment also calls for two 5,000 square-foot multi-tenant commercial buildings with outdoor eating areas and 435 surface parking stalls. This project will serve as the first phase for a larger multi-phase site redevelopment, which will consist of a three-story parking ramp to support the final build-out of additional office and retail buildings. Nativus Health Solutions LLC is a full service pharmacy benefit management company, and Lumicera Health Solutions is a specialty pharmacy that will include a call center. As part of the development proposal, the applicant is also requesting approval of a CSM to divide the subject site into four lots. The applicant will commence construction of the five-story office building and demolition of the existing building as soon as all regulatory approvals have been granted, with completion of the first phase scheduled for March 2019.

Applicable Regulations & Standards: Table 28F-1 in Section 28.082(1) of the Zoning Code identifies professional and general offices as a permitted use in SE (Suburban Employment) zoning. Telecommunication centers, general retail, most food and beverage establishments, including restaurant-taverns, brewpubs and coffee/tea shops, and related outdoor eating areas, are all identified individually as conditional uses in the SE district. Buildings taller than five stories and 68 feet in height in SE zoning may be approved as conditional uses. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolition and removal permits. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

Review Required By: Plan Commission. Common Council approval of the proposed land division is also required.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit and conditional use to demolish an office building and construct an office

building, an office/telecommunications center building, and two general commercial buildings with potential future food and beverage establishments with outdoor eating areas, as part of a multi-phase redevelopment project on land generally addressed as 302 S. Gammon Road, and forward the related four-lot Certified Survey Map 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 8 of this report.

Background Information

Parcel Location: The 12.87-acre subject property is located on the northwest corner of S. Gammon Road and Mineral Point Road; Aldermanic District 9 (Ald. Skidmore); Madison Metropolitan School District.

Existing Conditions and Land Use: The project site includes a five-story, 141,298 square foot office building constructed in 1970 according to City records, and a one-story multi-tenant commercial building (Noodles & Co., etc.) located at 7050 Mineral Point Road. The five-story office building was originally constructed as the offices for the Wisconsin Farm Bureau, and previously housed the Madison Area Technical College’s West Campus and Famous Footwear’s corporate headquarters. It was last remodeled in 1996.

Surrounding Land Use and Zoning:

North: Multi-tenant commercial buildings, zoned SE (Suburban Employment);

South: West Towne Mall, zoned CC (Commercial Center);

East: James Madison Memorial High School and Thomas Jefferson Middle School, zoned CI (Campus Institutional); and

West: Multi-tenant commercial space with UW Health West Towne Clinic beyond, zoned SE (Suburban Employment District); Tamarack Trail residential condominiums, zoned PD.

Adopted Land Use Plan: The [Comprehensive Plan](#) recommends Employment uses for the subject site. There is no adopted neighborhood plan that includes the subject site.

Zoning Summary: The subject property is zoned SE (Suburban Employment). According to Section 28.085 of the Zoning Code, “The SE District is established to encourage a broad range of employment activities, including limited industrial uses conducted within enclosed buildings, while also encouraging shared access, improved landscaping and site design, and bicycle and pedestrian facilities.”

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	560,823 sq. ft.
Lot Width	65'	454.86'
Front Yard Setback	None	Adequate
Side Yard Setback	15' or 20% building height	Adequate
Rear Yard Setback	30'	Adequate
Maximum Lot Coverage	75%	63.3%
Minimum Building Height	22' measured to building cornice	22' Buildings C and D
Maximum Building Height	5 stories/68'	5 stories/75' Building A
Number Parking Stalls: Minimum	Restaurants, restaurant-taverns, taverns, restaurant-nightclub, nightclub, and brewpubs if located within three hundred (300) feet of	468 (See zoning conditions)

	another restaurant, restaurant-tavern, tavern, or brewpub. Restaurant (existing Noodles): 15% of capacity of persons (15) Food and beverage establishment: 15% of capacity of persons (TBD)	
Number of Parking Stalls: Maximum	Restaurant (existing Noodles): 40% if capacity of persons (40) Food and beverage establishment: 40% of capacity of persons (TBD) General retail; service business: 1 per 200 sq. ft. floor area (55) Offices: 1 per 250 sq. ft. floor area (440) Telecommunications center: 1 per employee (TBD) (535 maximum phase 1)	468 (See Zoning conditions)
Accessible Stalls	Yes	32
Loading	1 (10' x 35') and 2 (10 x 50')	2 (10' x 35') and 4 (10' x 50')
Number Bike Parking Stalls	Restaurant (existing Noodles): 5% of capacity of persons (5) Food and beverage establishment: 5% of capacity of persons (TBD) General retail; service business: 1 per 2,000 sq. ft. floor area (5) Offices: 1 per 2,000 sq. ft. floor area (55) Telecommunications center: 1 per to employees (TBD) (65 total phase 1)	60 (See Zoning conditions)
Building Forms	Buildings A & B: Flex building Buildings C & D: Free standing commercial building	Will comply
Other Critical Zoning Items		
Yes:	Barrier Free, Utility Easements	
No:	Urban Design, Floodplain, Wellhead Protection, Landmarks, Waterfront Development	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

Environmental Corridor Status: The property is not within a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services, with multiple Madison Metro bus routes and seven-day service along Mineral Point and S. Gammon Road.

Project History

This is the second plan iteration by The Livesey Company for this site. The first proposal of “West Place” was submitted in 2016 and was referred by the Urban Design Commission and the Plan Commission at the March 8, 2017 meeting and May 3, 2017 meeting, respectively, at the request of the applicant. The first iteration was proposed under MXC (Mixed-Use Center) Zoning, which is a master plan-based district.

Project Description

The applicant, The Livesey Company, is seeking approval of a demolition permit, four conditional uses, and a CSM to allow the former MATC West Campus building located at 302 S. Gammon Road to be demolished and the 12.87-acre overall site to be redeveloped with two office buildings and two general commercial buildings as well as a new parking lot for Phase One of a larger site redevelopment project. The building to be demolished is a five-story, approximately 134,872 square foot building constructed in 1970 with surface parking in the rear of the site. Exterior photos and a more detailed building description are included in the submission and available online at <http://www.cityofmadison.com/dpced/planning/302-south-gammon-road/2252/>. The site is also developed with a one-story, 10,200 square-foot multi-tenant commercial building addressed as 7050 Mineral Point Road, which will remain. The building was constructed in 1997 and includes three tenant spaces, including a restaurant and two retail uses.

The new “West Place” proposal contains a mix of office, retail, and outdoor space. Building “A” will be an 80,000 square-foot five-story office building behind two rows of parking along Mineral Point Road. The site plans indicate that this building will be 75 feet tall with an additional 12 feet of rooftop mechanical screening, which requires a conditional use given the 68 feet maximum height limit in SE Districts. As proposed, Building “B” is a two-story 30,000 square foot office building on the north end of the site. The first phase of development also includes two one-story, 5,000 square-foot general commercial buildings, Buildings “C” and “D”, near the corner of Mineral Point Road and S. Gammon Road, which the applicant indicates will host a variety of retail, service and food and beverage uses to serve the employment uses and larger community. A conceptual outdoor eating area is proposed between C and D buildings. The primary access for the project will occur at the existing curb cut into the site from S. Gammon Road, with plans to be signalized in the future if necessary. A private road will extend through the site to the west to connect to the north-south private drive that runs between the subject site and the UW Health Clinic and provides access from Mineral Point Road.

The proposed hours of operation are approximately 7:00 am to 7:00 pm for the office uses and 7:00 am to 12:00 am for the retail and restaurants.

The proposal includes 468 surface parking stalls. The proposed planned multi-use site also accommodates the existing multi-tenant commercial building on the west side of the site, which currently has 60 surface parking stalls. The plans include 74 bike parking stalls spread throughout the site.

The office and general commercial development proposed to follow demolition of the existing office building is the first phase of a planned multi-phase redevelopment of the subject site, which may also include properties owned by the applicant between the northern edge of the site and Tree Lane. At full project buildout, the 12.87-acre property may be developed with up to 325,200 square feet of commercial space in four additional four- or five-story buildings served by 1,054 parking stalls, including some to be located in a three-story garage conceptually shown along the western property line between Buildings A and B, where surface parking is shown to serve Phase One.

The applicant has provided elevations for all the proposed buildings. Building A will have a primarily glass windowed façade with assorted metal panels breaking up the floors and elevations. This proposed building includes some brick and stone veneers as architectural accents. Building B will comprise of a mix of metal, glass, and brick materials. The corner retail sites, Buildings C and D, use brick and wood materials with vertical glass

windows spanning the first floor, which will include two to three cafes and/or restaurants. The site plans show a pedestrian walkway through the center of these buildings with outdoor seating and dining.

The applicant has submitted a landscaping plan for the site, including a mix of evergreens, perennials and groundcovers, and grasses. Plans for Phase One have grass in the open space that is planned for additional commercial buildings in the later development phases of the project.

Analysis

As noted on page 1 of this report, the applicant is requesting a series of approvals from the Plan Commission, including approval of a demolition permit to raze the existing five-story office building, and conditional use approvals to construct a five-story office building that will exceed the 68-foot height allowed in the SE zoning district, a telecommunications center, and for food and beverage and general retail uses conceptually proposed in two one-story commercial buildings proposed adjacent to the Mineral Point Road-S. Gammon Road intersection. The proposed uses represent the first phase of a planned multi-phase redevelopment of the site, which calls for a series of other office buildings along the S. Gammon Road frontage of the site. The applicant is also requesting approval of a four-lot Certified Survey Map, which proposes parcels with shared parking, access and circulation to serve the planned multi-phase redevelopment.

The Plan Commission may not approve an application for a conditional use unless it can find that all of the standards found in Section 28.183(6)(a) are met. That section also states: "The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan, including design guidelines adopted as supplements to these plans." Likewise, in order for the demolition of the existing building to be approved, the Plan Commission must also find that both the requested demolition and the proposed use are compatible with the purpose of Section 28.185 of the Zoning Code and the intent and purpose for the zoning district in which the property is located, and to consider the effects the demolition and proposed use would have on the normal and orderly development and improvement of surrounding properties. The proposed use of the property following the demolition should also be consistent with the Comprehensive Plan and any adopted neighborhood plans.

Demolition Permit Standards

The Planning Division believes that the Plan Commission may find the standards for demolition permits met to allow demolition of the existing five-story office building. The Landmarks Commission informally reviewed the proposed demolition at its January 30, 2017 meeting. During its discussion, the Landmarks Commission noted the importance as a Kenton Peters design, but given that the building is not yet 50 years old, it is not eligible for the National Register Standards. The Commission categorized the building as having "medium historic value," and one member suggested that the Plan Commission be "forward-thinking with regard to Madison architects" and request documentation of buildings whose styles are not yet valued. Materials from the January 30 Landmarks Commission discussion are attached.

The Comprehensive Plan recommends the subject site and properties to the west along the Mineral Point Road frontage for Employment uses. The Comprehensive Plan lists corporate and business offices, as well as complementary uses primarily serving district employees and users, such as business services, conference centers, child care, restaurants, convenience retail, and hotels as recommended land uses in Employment Districts. The two office buildings proposed to replace the existing five-story office building and any future office buildings that may be developed on the site in the future are consistent with the recommended employment uses. Further,

given the array of land uses present at the Mineral Point-S. Gammon intersection, including West Towne Mall and James Madison Memorial High School, staff believes that modest general commercial uses also proposed for the subject site are compatible with the adopted recommendations.

Furthermore, Employment Districts have no fixed limits on size of establishment or development intensity, but all uses should be compatible with the density and scale of surrounding development. According to Section 28.085 of the Zoning Code, the SE (Suburban Employment) district is intended to encourage the integration of complementary employment and related uses in an attractive and pedestrian-oriented environment. The Planning Division finds this proposal to consistent with adopted plans and compatible with this statement of purpose. Staff further believes that the density of proposed buildings and potential future introduction of the structured parking will greatly increase the activity and street presence on the site, which is located at an important and heavily traveled west side intersection.

Conditional Use Standards

The applicant is seeking approval of four specific conditional uses with this application:

1. Food and beverage uses, including restaurants, restaurant-taverns, and brewpubs; and general retail;
2. Outdoor eating areas associated with food and beverage establishments;
3. Building heights exceeding the maximum of five stories and 68 feet; and
4. Telecommunications Center.

According to Section 28.082 of the Zoning Code, general retail and most food and beverage uses are conditional uses in SE zoning. Given the surrounding pattern of development and land use, with West Towne Mall to the south and Noodles and Company adjacent to the west, and the intensity of employment uses proposed on the subject site, staff believes that conditional use standards can be met to prospectively allow food and beverage uses and general retail uses in Buildings C and D. Given that the [Comprehensive Plan](#) recommends complementary office and business services, such as restaurants and convenience retail, as land uses in Employment Districts, the Planning Division supports the proposed use for these two buildings. In keeping with conditional use standard #3, staff does not believe that the establishment of restaurants at the corner of Mineral Point Road and S. Gammon Road will substantially impair or diminish any of the uses, values and enjoyment of other property in the neighborhood.

Additionally, the applicant has proposed outdoor eating areas to accompany potential future food and beverage uses in the two corner multi-tenant buildings, which are also a conditional use in SE zoning. In keeping with the Zoning Code, primary access to the eating area shall be from within the dining establishment. The Planning Division does not believe that residential uses will be impacted by the proposed outdoor dining facilities. As a condition of approval, the applicant shall submit a plan detailing the layout of any future outdoor eating area, including a seating plan, hours of operation, amplified sound, and enclosures for the eating area.

The applicant has also proposed a conditional use for height in excess of 68 feet in SE given that Building A is proposed to stand 75 feet in height to the top of cornice, with an additional 12 feet of roof screening. According to Conditional Use Standard #12:

- 12. When applying the standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in the adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of*

the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.

This building meets the maximum five-story limit in SE and in the letter of intent, the applicant noted that due to the “required” floor to floor heights of 15 feet, the building will be taller than the 68 feet allowed by right in SE zoning. Staff believes that this particular standard can be met and does not believe that this additional height will interfere with normal and orderly development. Staff does not anticipate that the seven additional feet will result in substantial impacts on adjacent properties and land uses.

The applicant is proposing a call center as part of the pharmaceutical office uses in Building B, which is characterized as a telecommunications center, and is a conditional use in SE zoning. A telecommunications center is defined in the Zoning Code as an “office facility that is responsible for transmission, receipt, acceptance, processing, and distribution of incoming and outgoing communications.” Telecommunication centers are classified separately from other office uses allowed in the Employment zoning districts due in part to having a higher number of employees per square-foot, which can impact the number of parking stalls required and the number of vehicular trips generated compared to a traditional office. Telecommunication centers may also have nontraditional work hours (before 7:00 AM or after 6:00 PM), which may be a consideration when approving such uses.

In order to approve the overall conditional use development, the Plan Commission shall also find that standards #5 and #6 are met:

5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided.*
6. *Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.*

The applicant recently complied with a request by the Traffic Engineering Division to provide a Traffic Impact Analysis (TIA) for the project. During its review of the TIA, City staff has identified impacts from the proposed site redevelopment that will need to be addressed during the implementation of the first phase and future phases of the development to ensure that adequate access and traffic flow both on-site and on public streets.

As part of their recommended conditions, the Traffic Engineering Division is requesting that the applicant dedicate and construct two internal public streets to serve the development. One would be a north-south street aligned with the existing north-south driveway serving the site from Mineral Point Road, which could be extended north towards Tree Lane to serve future development on the parcels located north of the subject site. The other would be an east-west street that would extend between the north-south street and S. Gammon Road. In lieu of these internal streets being dedicated and constructed as public streets, the streets could be private, but would be built to City of Madison public street standards. Staff feels that these additional streets are necessary to serve the access and circulation needs of a redevelopment of the magnitude ultimately proposed, to reduce negative impact to the surrounding transportation network, and to provide appropriate internal circulation as required by the conditional use standards and MGO Section 10.08.

The Planning Division and Traffic Engineering Division believe that standards #5 and #6 can be met if these recommended conditions are implemented. Traffic Engineering Division staff will be present at the October 2 Plan Commission meeting to answer more detailed questions about the traffic-related impacts from this development.

Conclusion

The applicant is requesting approval of a demolition permit, four conditional uses, and a Certified Survey Map to facilitate redevelopment of the 12.87-acre site with two office buildings and two general commercial buildings on four lots following demolition of a five-story office building at 302 S. Gammon Road. The four buildings proposed represent the first phase of the planned "West Place" multi-phase redevelopment of the site, which may include four additional office buildings and up to 325,000 square feet of overall floor area. The Planning Division believes that the proposed development can meet the approval standards for demolition permits, conditional uses, and land divisions. In general, staff believes that the development proposed in both the first phase and the future phases is consistent with the Employment land uses recommended for the site by the Comprehensive Plan, and that the new development will result in a significantly greater use of the site than the existing building that will be razed. The applicant has submitted a Traffic Impact Analysis that identifies impacts from the proposed redevelopment that will need to be addressed during the implementation of the first phase of the development and with future phases to ensure that adequate access and traffic flow are provided both on-site and on public streets consistent with conditional use standards #5 and 6.

Recommendation

Planning Division (Contact Tim Parks, 261-9632 or Sydney Prusak, 243-0554)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit and conditional use to demolish an office building and construct an office building, an office/telecommunications center building, and two general commercial buildings with potential future food and beverage establishments with outdoor eating areas, as part of a multi-phase redevelopment project on land generally addressed as 302 S. Gammon Road, and forward the related four-lot Certified Survey Map to the Common Council with a recommendation of **approval**, all subject to input at the public hearing and the following conditions subject to input at the public hearing and the conditions recommended by the reviewing agencies.

This approval is based only on Phase One of the proposed multi-phased redevelopment project. Future phases of the West Place development will require subsequent approval by the Plan Commission.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Planning Division (Contact Timothy Parks, 261-9632)

1. Prior to the use of any outdoor eating area serving a food and beverage establishment in Buildings C and D, the applicant shall submit a detailed plan for the outdoor eating area that includes a seating plan (tables, chairs, capacity, etc.), proposed hours of operation, details for any amplified sound, and the enclosures that will be used to separate the dining area from pedestrians.
2. Per Section 28.137(2)(a), a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic

Development recorded in the office of the Dane County Register of Deeds immediately following recording of the three-lot Certified Survey Map.

The following conditions have been submitted by reviewing agencies:

City Engineering Division (Contact Timothy Troester, 267-1995)

3. The applicant shall make improvements to S Gammon Road and Mineral Point Road as determined by City Engineer.
4. The construction of this project will require that the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering 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. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
5. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
6. 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.
7. Add Note to Plans: Contractor shall notify Ray Schneider (608)347-3628, rays@madsewer.org, 5 days prior to making the connection to the MMSD manhole to arrange for inspection of the connection. Sewer connection shall conform to all MMSD connection specification criteria. Contractor is responsible for taking out the MMSD connection permit as well as the permit connection fee (\$950.00, 2015 rate) if applicable.
8. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
9. This project combines new development & redevelopment. Storm water management will include Rate Control, TSS control, Infiltration & Oil/Grease Control. 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. (POLICY and MGO 37.09(2))
9. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit application and plan. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.

10. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at ttroester@cityofmadison.com, or Jeff Benedict at jbenedict@cityofmadison.com final document and fee should be submitted to City Engineering.
11. 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. POLICY AND MGO 10.29
12. 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 5.0 tons per acre per year.
13. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
14. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office.
15. 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.
16. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates.
17. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.
18. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of the Madison General Ordinances.

19. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide oil/grease control in accordance with Chapter 37 of Madison General Ordinances.
20. 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 Madison General Ordinances.
21. 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.
22. All work in the public right-of-way shall be performed by a City-licensed contractor.
23. All damage to the pavement on S Gammon Road and Mineral Point Road, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria.
24. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
25. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
26. The lots within this certified survey map are inter-dependent upon one another for storm water 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 Certified Survey Map, and recorded at the Dane County Register of Deeds.
27. The following note shall be added to the CSM: "All lots created by this Certified Survey Map are individually responsible for compliance with Chapter 37 of Madison General Ordinances in regard to stormwater management at the time they develop."
28. The approval of this zoning approval 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. (MGO 16.23(9)(d)(6))

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

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| 29. An amendment to the existing Declaration of Reciprocal Easements (Doc No. 2653307) or a new Declaration(s) of Reciprocal Easements shall be drafted to replace and supersede the existing agreement. The agreement |
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shall be drafted, provided for review by staff and recorded immediately after the pending Certified Survey Map. The agreement(s) shall address the common elements of access, parking, utilities, common areas, storm water management (surface and subterranean), surface drainage and any other common improvements that are necessary to accomplish the development as proposed. It is anticipated that this document shall be drafted to permit future amendments in conjunction with each future phase of development. The agreement shall also address the existing reciprocal conditions to remain and all affected parcels beyond the first phase.

30. Should any of the proposed water main be intended to be public, the preferred method of granting the required easements would be by the pending Certified Survey Map.
31. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
32. Submit a PDF floor plan for each building to Lori Zenchenko (lzenchenko@cityofmadison.com); so that a preliminary tenant space addressing plan can be developed prior to plans being submitted for permit review. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The address plan is subject to the review and approval of the Fire Marshal. Private named drives may be necessary for addressing the buildings.
33. The MMSD force main shall be correctly shown discharging into the manhole east of the building to be demolished.
34. The property lines and proposed easements to remain shall be shown on all sheets of the Civil plans for clarity and confirmation of all rights granted between parcels within this development.
35. City of Madison and MMSD Sewer facilities along S. Gammon Road and Mineral Point Road shall be shown on the landscaping plans. Any large caliper trees located over to very near any of these facilities shall be relocated to the satisfaction of City Engineering Sewer staff.
36. Correct surveyor's certificate by adding South to all Gammon Road references
37. Should any of the water main for the redevelopment be intended to be public, the preferred method of granting the required easements would be by the pending Certified Survey Map. Contact Jeff Quamme for any required language.
38. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office and shall be attached to a signed and sealed monument condition report. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.

39. The applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe pdf format. The digital CADD file shall be submitted in the WISDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat:

- a. Right-of-Way lines (public and private)
- b. Lot lines
- c. Lot numbers
- d. Lot/Plat dimensions
- e. Street names
- f. Easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

40. In accordance with Section s.236.34(1m)(c), which states a CSM shall be prepared in accordance with the plat requirements stated per s.236.20(2)(c) & (f), Wisconsin Statutes, the applicant shall show the type, location and width of any and all easements on the Plat or CSM. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements that are being conveyed by the CSM. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by the CSM.
41. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL Plat or CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.
42. Show on the map the entire area of the Roadway Easement per Document Nos. 1667518 and 2080229, as this provides access rights for lands included in this Certified Survey Map.
43. Show the existing paved areas and accesses on the site as required by Ordinance. Also add a note that a new reciprocal easement agreement addressing common access, parking and utilities shall be recorded by separate instrument in conjunction with the future redevelopment of the lots.
44. The coordinates for the southeast corner of Section 23 do not compute with the bearing of the section line shown or with the coordinates of record for City of Madison control. This shall be corrected.

Traffic Engineering (Contact Eric Halvorson, 266-6527)

45. The proposed redevelopment of the site will have transportation impacts on the surrounding area that need to be addressed, both in Phase 1 of the project, and with the future phases suggested on the "Master Plan" shown on Sheet G004. In order to find conditional use standards 5 and 6 met, the applicant shall work with Traffic Engineering to dedicate right of way along S. Gammon Road and Mineral Point Road for left turn lanes on east bound Mineral Point Road and south bound S. Gammon Road to mitigate negative traffic impacts to the adjacent transportation network from the development. As Traffic Engineering was not provided the required Traffic Impact Analysis in a timely manner, there may be additional dedication required as the project proceeds once the full impact of the project is known.
46. The applicant shall dedicate and construct two public streets to serve the redevelopment, OR build two private roads to City of Madison public street standards, which may be dedicated to the City in the future. The first street shall be an east-west street that extends into the site from S. Gammon Road to intersect the second, a north-south street located along the western edge of the subject site. The north-south street will connect to the north-south private drive that intersects Mineral Point Road at the southwestern corner of the site, and will ultimately extend north to Tree Lane to provide access to additional redevelopment anticipated on other properties owned by the applicant but not part of these development approvals. The goal is to create a cohesive internal street network with adequate circulation to serve the properties located along the west side of S. Gammon Road between Tree Lane and Mineral Point Road, to limit negative impact to the surrounding transportation network from the planned redevelopment, and to best utilize the transportation improvements proposed by the applicant. As Phase 1 work only starts the redevelopment of the overall site the applicant shall only be required to implement this condition on internal streets impacted with Phase 1. The applicant shall continue to work with Traffic Engineering and City Engineering the satisfaction of this condition in additional phases.
47. Prior to final sign-off, the applicant shall have submitted and received approval for the required Traffic Impact Analysis (TIA).
48. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4766) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
49. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
50. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement

marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

51. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
52. All parking facility design shall conform to the standards in MGO section 10.08(6).
53. The developer shall provide a recorded copy of joint driveway ingress/egress and crossing easements and shall be noted on the CSM.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4569)

54. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
55. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
56. As each tenant space is leased, the entire development must reflect compliance in the required amount, type and number of auto and bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.
57. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 65 short-term bicycle parking stalls. For multi-building development, bicycle parking shall be provided for each building. Bicycle parking shall be located in a convenient and visible area on a paved or impervious surface at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Identify the bicycle parking locations and note the numbers and dimensions of the stalls on the final plans. A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the bicycle rack design.
58. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
59. An additional review of the outdoor seating areas will be required to establish the conditions, including review of hours, layout, and capacity. The capacity shall be established for the outdoor eating area prior to issuance of building permits. Occupancy is established by the Building Inspection Unit. Contact Building Inspection staff at (608) 266-4559 to help facilitate this process.
60. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

61. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Metro Transit (Contact Tim Sobota, 261-4289)

The agency reviewed this request and has recommended no conditions or approval.

Fire Department (Contact Bill Sullivan, 261-9658)

The agency did not submit comments or conditions for inclusion in this report.

Parks Division (Contact Janet Schmidt, 261-9688)

62. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in Section 209 of City of Madison Standard Specifications for Public Works Construction.

63. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in Section 107.13 of City of Madison Standard Specifications for Public Works Construction. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

64. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days' notice between the application submittal and the scheduled lateral connection/extension. The application materials are available on the Water Utility Plumbers & Contractors site (<https://www.cityofmadison.com/water/plumbers-contractors/water-service-applications>). Otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

65. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-of-way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.