



PREPARED FOR THE PLAN COMMISSION

Project Address: 501 Charmany Drive
Application Type: Certified Survey Map Referral
Legistar File ID # [49688](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Paul Muench, University Research Park, Inc.; 510 Charmany Drive; Madison.

Surveyor: Brett Stoffregan, D’Onofrio Kottke & Associates; 7530 Westward Way; Madison.

Requested Actions: Approval of a Certified Survey Map (CSM) creating one lot for office development at 501 Charmany Drive and dedicating right of way for a new public street.

Proposal Summary: University Research Park, Inc. is requesting approval to combine a series of underlying lots comprising the subject parcel into one lot and to dedicate a 70- to 80-foot wide right of way to the City to allow for the future construction of “Innovation Drive,” an east-west public street that will extend between S. Whitney Way and Charmany Drive. The subject site is currently developed with the three-story, 51,205 square-foot office and warehousing facility occupied by Exact Sciences. The applicant is currently seeking concurrent site plan approvals to construct a five-story, approximately 166,865 square-foot addition to the building and associated parking. The property owner wishes to record the CSM as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

Review Required By: Plan Commission. A resolution of the Common Council approving the CSM is also required.

Review Schedule: The State’s subdivision statute, Wis. Stats. 236, requires that Certified Survey Maps be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the plat is deemed approved. The CSM application was submitted to the City on November 20, 2017, which corresponds to a 90-day review period ending circa February 20, 2018. However, the applicant approved a referral/ extension to this Plan Commission meeting in a message dated January 18.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward the one-lot Certified Survey Map dividing 501 Charmany Drive to dedicate right of way for a new public street to the Common Council with recommendations of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Parcel Location: An approximately 10.68-acre parcel generally located on the north side of Research Park Boulevard between Charmany Drive on the west and S. Whitney Way on the east; Aldermanic District 19 (Clear); Madison Metropolitan School District. The subject site is located in Tax Increment District 46.

Existing Conditions and Land Use: Three-story office/warehouse building and surface parking, zoned SE (Suburban Employment District).

Surrounding Land Uses and Zoning: The subject site is generally surrounded by other office-type buildings located throughout the University Research Park on both sides of S. Whitney Way. The surrounding parcels are zoned SE (Suburban Employment District).

Adopted Land Use Plans: The 2006 Comprehensive Plan recommends the subject parcel and surrounding research park properties for Employment uses. The subject site and portion of University Research Park located west of S. Whitney Way is within the boundaries of the 2008 Southwest Neighborhood Plan. The plan does not include specific land use or design recommendations for the site and research park. However, the plan includes a general recommendation that Traditional Neighborhood Development (TND) and Transit-Oriented Development (TOD) principles be incorporated into the redevelopment of areas such as the Odana Road commercial corridor, the Westgate and Whitney Square shopping centers and new development in the University Research Park and adjacent CUNA lands.

Zoning Summary: The subject site is zoned SE (Suburban Employment District). The proposed lot will comply with minimum 65-foot lot width and 20,000 square-foot minimum lot area, and the existing building appears to comply with the setback requirements. Conformance to the bulk requirements for the proposed addition will be determined during the permitted use site plan approval process administered by the Zoning Administrator. There are no Critical Items related to the proposed land division.

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

Public Utilities and Services: The overall site is served by a full range of urban services. Metro Transit provides daily service along S. Whitney Way through the Research Park Boulevard/Science Drive intersection.

Project Description, Analysis and Conclusion

On November 20, 2017, University Research Park, Inc. submitted a Certified Survey Map (CSM) to divide an existing 10.68-acre parcel into one lot for office development and to dedicate right of way to the City for the future construction of "Innovation Drive." The subject site is currently developed with a three-story, 51,205 square-foot office and warehouse building occupied by Exact Sciences, with surface parking located between the building and Charmany Drive, which forms the western edge of the property. The parcel also extends south to Research Park Boulevard and is bounded on the east by S. Whitney Way. Innovation Drive will be dedicated and constructed as a 70- to 80-foot public right of way along the northern property line of the site between Charmany and S. Whitney.

University Research Park and Exact Sciences propose to construct a five-story, approximately 166,865 square-foot addition to the north side of the existing building on the 9.32-acre Lot 1 that will be created by the CSM. The proposed addition will contain underground parking and additional office and support spaces. Additional surface parking will be added west of the expanded building towards Charmany Drive and along the eastern wall of the addition. The proposed building addition and parking are permitted by the existing SE zoning of the site subject to site plan approval pursuant to Section 28.186 of the Zoning Code and approval by the University Research Park's private design review body.

The proposed addition and creation of a new public street reflect the University Research Park's recent emphasis on transforming the 1980's-era office park into a denser, more walkable park, as suggested in the letter of intent submitted with the proposed land division.

The Subdivision Regulations allow 45 days for the Secretary of the Plan Commission or his/her designee to administratively approve a land division. If the Secretary does not act within the 45 days, or when the Secretary determines that a proposed land division does not meet the standards for approval, it is referred to the Plan Commission for review.

Staff referred the land division to the Plan Commission for approval following initial concerns about the proposed intersection of Innovation Drive and S. Whitney Way, which the University Research Park desires to be a full intersection with all turn movements and possibly a traffic signal. The Traffic Engineering Division requested that the applicant submit a Traffic Impact Analysis (TIA) to understand the impacts to the surrounding street network before making a decision on allowing full access to S. Whitney Way. Traffic Engineering staff initially indicated that it could not support the land division until the TIA was submitted for review and approved. However, following discussions between Traffic Engineering staff and University Research Park, all parties are comfortable with the land division to create the lot for the office development and the right of way for Innovation Drive proceeding. For the purposes of the land division, Innovation Drive will be dedicated and constructed to intersect S. Whitney Way as at least a right-in/right-out intersection. A determination on the level of access provided at the new intersection and its signalization will now be determined separate from the land division.

Staff believes that the proposed land division can meet the criteria for approval subject to the conditions in the following section.

Recommendation

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

The Planning Division recommends that the Plan Commission forward the one-lot Certified Survey Map dividing 501 Charmany Drive to dedicate right of way for a new public street to the Common Council with recommendations of **approval** subject to input at the public hearing and the following conditions:

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

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

1. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
2. A Phase 1 environmental site assessment (Phase 1 ESA), compliant with ASTM E1527-13, is required for the area being dedicated to the City of Madison. The applicant shall provide one (1) digital copy and a paper copy only if specifically requested. Staff review of this Phase 1 ESA will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com) for review.

3. 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 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).
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. Two weeks prior to recording the CSM, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
6. The developer shall construct Madison Standard street and sidewalk improvements for all streets within the CSM.
7. The developer shall make improvements to S. Whitney Way and Charmany Drive to facilitate ingress and egress to the CSM as required by the City Engineer.
8. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this CSM.
9. The developer shall confirm that adequate sight distance exists on S. Whitney Way and Charmany Drive where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
10. The approval of this land division 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.
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.
12. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.

13. All work in the public right of way shall be performed by a City-licensed contractor.
14. All damage to the pavement on S. Whitney Way and Charmany Drive adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.

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

15. The water main easement per Document No. 1409797 is shown incorrectly and the correct location per that document does not encompass the current location of the water main. The applicant shall work with Jeff Quamme (266-4097 or jrquamme@cityofmadison.com) to release the existing water main easement and also the electric easement per Document No. 1409797. A new 20-foot wide water main easement encompassing the existing public water main crossing this site shall be granted by this Certified Survey Map.
16. The CSM 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 the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
17. The applicant shall request Madison Gas & Electric release the portion of the MG&E Underground Gas and Electric Easement per Document No. 3171445 that lies with the proposed "A" Street dedication. Any costs associated with any realignment or removal of any MG&E facilities within the proposed public right of way shall be the responsibility of the owner/developer.
18. The overlapping easements on sheet 2 shall have different line types to differentiate the different easement areas or additional details shall be provided for clarity.
19. The Consent of Leaseholder name per the deed shall be revised to Exact Sciences Corporation.
20. Insert the standard language pre MGO 16.23(9)(d)2.a. verbatim. If this is done, all of the previous non-exclusive drainage easements are released and new drainage easements defined by the current proposed Certified Survey Map.
21. The Certified Survey Map shall grant Public Sidewalk Easements along the westerly side of this site if any of the proposed public sidewalk for the proposed site plan meanders beyond the sidewalk easement per Document No. 3008952.
22. Correct the spelling of Wisconsin in the header of each sheet.
23. Add recorded as chord bearings to curve nos. 1 and 8. Also add recorded as chord length to curve no. 8.
24. Place a width varies for Research Park Blvd for the westerly portion that is not a consistent width.
25. The proposed street name of Innovation is not approved. That street name already exists elsewhere in the 911 jurisdictional area. Submit alternative street name suggestions for review and approval to Lori Zenchenko (Lzenchenko@cityofmadison.com).

26. The distance to the point of beginning (POB) is incorrect. Review and revise accordingly on map and in legal description. Label the POB on the map.
27. 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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. 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. The Applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.
28. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat 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: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; 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.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

29. Approval of CSM does not constitute approval of access beyond Right In/Right Out at the intersection of proposed Innovation Drive and Whitney Way. Once a Traffic Impact Analysis has been received and approved by Traffic Engineering, a determination will be made if any additional access will be granted at the intersection of proposed Innovation Drive and Whitney Way.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency reviewed the request and has recommended no conditions of approval.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

This agency reviewed the request and has recommended no conditions of approval.

Parks Division (Contact Janet Schmidt, 261-9688)

This agency reviewed the request and has recommended no conditions of approval.

Water Utility (Contact Adam Wiederhoeft, 261-9121)

30. All public water mains and water service laterals shall be installed by a standard City subdivision contract/ City-Developer agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See City Engineering Division comments for additional information.

Metro Transit (Contact Tim Sobota, 261-4289)

31. As part of the applicant's stated evolution towards accommodating transit-accessibility in the University Research Park, both this proposed new street and intersection - as well as existing streets on both sides of Whitney Way - should be updated to provide bus stop zones that comply with the accessibility requirements contained in the Americans with Disabilities Act. These requirements generally anticipate public sidewalks and curb ramps along transit-accessible streets, including wheelchair boarding surfaces between the sidewalk and curb at bus stop zones themselves.

Office of Real Estate Services (Contact Heidi Radlinger, 266-6558)

32. Revise name of Lessee to read Exact Sciences Corporation.

33. The 2017 real estate taxes are not paid for the subject property. Per 236.21(3) Wis. Stats. and Madison General Ordinances Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.

34. There are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

35. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in City's Office of Real Estate Services (hradlinger@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (August 9, 2017) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. The surveyor shall update the CSM with the most recent information reported in the title update.

36. The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.

37. Revise the CSM prior to final approval and recording as follows:

- a.) Ensure accuracy of document number for the sanitary sewer easement.
- b.) Depict and dimension all existing improvements located within the CSM boundary.
- c.) Judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.