



Project Address: 5501 Endeavor Lane (19th Aldermanic District – Ald. Furman)

Application Type: Conditional Use

Legistar File ID # [69789](#)

Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Jeremy Hulse; Exact Sciences; 5505 Endeavor Lane; Madison, WI 53719

Contact: Jody Shaw; Potter Lawson, Inc.; 749 University Row #300; Madison, WI 53705

Owner: Paul Muench; University Research Park, Inc.; 505 S Rosa Road #201; Madison, WI 53719

Requested Action: Consideration of conditional uses in the Suburban Employment (SE) District for a building exceeding five stories or 68 feet in height [§28.084(3)(c) MGO].

Proposal Summary: The applicant is seeking approval to construct a four-story (84-foot tall) office and laboratory building.

Applicable Regulations & Standards: Section 28.183 M.G.O. provides the process and standards for the approval of conditional uses.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional use to construct a four-story laboratory and office building at 5501 Endeavor Lane subject to input at the public hearing and the conditions from reviewing agencies in this report.

Background Information

Parcel Location: The subject site is 9.32 acres and located on the west side of Whitney Way between Endeavor Lane and Research Park Boulevard. It is within Aldermanic District 19 (Ald. Furman) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site, which is zoned SE (Suburban Employment District), is currently vacant.

Surrounding Land Uses and Zoning:

North: Across Endeavor Lane, lab and office buildings zoned SE (Suburban Employment District);

West: A lab and office building under same ownership, and across Charmany Drive, office buildings, all zoned SE;

South: Across Research Park Boulevard, an office building zoned SE; and

East: Across Whitney Way, office buildings zoned SE.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) identifies the subject property as Employment (E) use. The [Odana Area Plan](#) (2021) also recommends Employment land uses for this area.

Zoning Summary: The subject property is zoned SE (Suburban Employment District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	405,993 sq. ft.
Lot Width	65'	Greater than 65'
Front Yard Setback	0' or 5'	23.4'
Side Yard Setback	15' or 20% of building height	42.5'
Rear Yard Setback	30'	Adequate
Maximum Lot Coverage	75%	Less than 75%
Minimum Building Height	22' measure to building cornice	4 stories/ 86'
Maximum Building Height	5 stories/ 68'	4 stories/ 86'

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	16 surface 276 parking garage (292 total)
Accessible Stalls	Yes	Yes
Loading	2 (10' x 50')	Approved
Number Bike Parking Stalls	Office: 1 per 2,000 sq. ft. floor area (18) Laboratories- research, development and testing: 1 per 5 employees (36) (54 total)	36 surface 18 interior (54 total)
Landscaping and Screening	Yes	Approved
Lighting	Yes	Approved
Building Forms	Yes	Flex building (1)

Other Critical Zoning Items	Barrier Free (ILHR 69), Utility Easements
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Table prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services.

Project Description

The applicant, representing Exact Sciences, is seeking conditional use approvals to construct a four-story office and laboratory building. A shorter version of this building was previously submitted for permitted-use site plan review. However, a design change has pushed the roof of the mechanical penthouse and the light scoops for the fourth floor to approximately 84 feet above grade, above the 68-foot maximum height allowed in the SE zoning district. The land use application submittal has not changed any of the approved site plan drawings other than the fire access drawings. The only changes for the proposed building are reflected in the taller building elevations and the fire access drawings.

The proposed building, adjacent to Whitney Way, is primarily a laboratory building for Exact Sciences and is located immediately east of the Exact Sciences buildings at 5505 Endeavor Lane and 501 Charmany Drive. The primary building entrance is at the northwest corner of the building, near Endeavor Lane and facing the entrance

of the building at 5505 Endeavor Lane. At present, only the first three stories will be built out for laboratory and office use. The fourth floor is proposed as shell space for future expansion. A large mechanical penthouse and light scoops illuminating the interior space top the building. A skywalk connection to the existing Exact Sciences building immediately is proposed at the second story. Primary facade materials include a gray terracotta siding, gray metal panels, and aluminum-frame glass windows. Other materials used in smaller sections or as trim or details include brick masonry, brick veneer, exposed concrete, and cast stone. A vehicular drive with parking is proposed for a portion of the area between the two buildings. South of the parking, a pedestrian plaza and walkways extend toward Research Park Boulevard. A driveway from Endeavor Lane accesses underground parking, as well as provides truck access to a loading dock and the dumpster enclosure. Trucks will exit the site via a right-turn-only drive onto Whitney Way. The three underground parking levels provide 285 vehicle parking spaces. Low-level landscaping is included in structured planters around the base of the building and along the pedestrian plaza and walkway. Landscaping is also used to screen the loading and trash zone. The Whitney Way frontage and pedestrian plaza also include ornamental and overstory trees.

Analysis & Conclusion

This request is subject to the standards for conditional uses. This section begins with adopted plan recommendations and then provides an analysis of conditional use standards.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) identifies the subject property for Employment (E) use. The [Odana Area Plan](#) (2021) also recommends Employment land uses for this area. The [Odana Area Plan](#) also recommends a five-story height limit for the site. That plan does not specify a corresponding height measurement, though due to the proposed floor-to-floor heights, at 84 feet, the proposed building may be taller than other five-story office, residential, or mixed-use buildings.

Conditional Use Standards

The applicant is request conditional use approve for a building exceeding five stories or 68 feet in height in the Suburban Employment (SE) District per §28.084(3)(c) MGO. The Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of M.G.O. §28.183(6) are met. Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

Staff notes that Conditional Use Standard 12 pertains directly to this request and states, "*When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in 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.*" Staff notes that the floor to floor height requirements for a laboratory building are generally higher than in a typical office building, a condition that has been addressed in similar proposals in University Research Park. A similar conditional use request for a five-story laboratory and office building at 425 Charmany Drive was recently approved. Further, the adjacent Exact Sciences building is five stories tall and located slightly uphill from the proposed building. Considering the surrounding context, staff does not anticipate significant negative impacts resulting from this structure and believes this standard can be found met.

Conclusion

When considering the adopted plan recommendations, specifically regarding use and building height, and the scale and character of the surrounding development, Staff believes that the Plan Commission can find all applicable conditional use approval standards can be met.

At time of report writing, staff is unaware of any public comment.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional uses to construct a four-story laboratory and office building at 5501 Endeavor Lane subject to input at the public hearing and the following conditions:

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

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

1. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of greater than or equal to fifty percent (50%) glass, at least eighty-five percent (85%) of the glass must be treated. All glass within fifteen (15) feet of a building corner must be treated when see through or fly through conditions exist. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass on above-ground bridges must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment that will be used.
2. 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.
3. 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.

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

4. Proposed 2nd floor skywalk across sanitary sewer easement is a potential aerial and horizontal encroachment to the City sanitary sewer. Applicant shall maintain 14' of vertical clearance so that the City maintenance equipment can access the sewer in the event of a needed repair. Applicant shall update plans as necessary to show this has been addressed. (Provide building profile, skywalk and sanitary sewer location/elevation).
5. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at

<http://www.cityofmadison.com/engineering/Permits.cfm>.

6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
7. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
8. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
9. Revise plan to show the location of all rain gutter down spout discharge locations. (POLICY)
10. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking creates an enclosed depression. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent low area in the parking lot to tip point to get into the underground parking. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
11. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
12. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. 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. (POLICY)
This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing. 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.

13. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
14. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

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

15. Engineering Mapping has no specific conditions of approval in regard to the proposed building height. All of the site plan conditions required by Engineering Mapping for approval are posted in the site plan approval ID LNDSPR-2021-00131.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

16. The applicant shall narrow their South Whitney Way driveway to ensure one-way access.

17. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
18. 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.
19. 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.
20. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
21. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
22. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
23. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to;

substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.

24. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
25. 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 three stories prior to sign-off to be reviewed and approved by DeAndre Newson, (266-4768, dnewson2@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
26. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
27. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
28. One way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the Exit.
29. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
30. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
31. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
32. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off.
33. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on South Whitney Way will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

Fire Department (Contact Bill Sullivan, 886-4691)

34. Fire hose lengths from the fire lane to the exterior walls may have a maximum distance of 250-ft for sprinklered buildings. Fire supply hose from the fire hydrants are measured to the fire lanes where the fire trucks would be expected to park.

Water Utility (Contact Jeff Belshaw, 261-9835)

35. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. 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. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
36. A Modify Mains/Services Application Form and deposit must be submitted before modifying the public water system. Provide at least two working days' notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water applications. 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.

The Planning Division, Parks Division, Forestry Section, and Metro Transit have reviewed this request and have recommended no conditions of approval.