



PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION

Project Address: 516-530 Cottage Grove Road
Application Type: Conditional Use
Legistar File ID #: [35558](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant/Owner: Carl Ruedebusch; RDC Development, LLC; 4605 Dovetail Dr., Madison, WI 53704

Project Contact: J. Randy Bruce; Knothe & Bruce Architects; 7601 University Ave., Ste. 201, Middleton, WI 53562

Requested Action: Approval of a conditional use for construction of dwelling units in a mixed-use building and ground floor space for food and related goods sales in the Traditional Employment (TE) District.

Proposal Summary: The applicant proposes to construct a four-story mixed-use building with 41,200 square feet of ground floor commercial space for future use as a library and grocery store, and 89 residential units on upper levels of the building.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses (MGO Section 28.183), and to the Urban Design Standards for large format retail buildings (MGO Section 33.24(4)(f)).

Review Required By: Urban Design Commission (UDC), Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the request at 516-530 Cottage Grove Road. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The property is on the northwest corner of Cottage Grove Road and Dempsey Road; Tax Increment Financing District 44; Aldermanic District 15 (Ahrens); Madison Metropolitan School District.

Existing Conditions and Land Use: The property has been undeveloped since the demolition of the Royster-Clark Fertilizer Plant.

Surrounding Land Use and Zoning:

North: Vacant land in the TE District.

East: Across Dempsey Road to the east, fast food restaurant and warehouse building in the Industrial – Light (IL) District.

South: Gas station, bar, restaurant, florist, and other uses in one-story commercial buildings in the Commercial Corridor–Transitional (CC-T) District.

West: Vacant land in the TE District, approved for construction of a three-story mixed-use building with 9,000 square feet of commercial space and 22 residential units.

Adopted Land Use Plan: The Comprehensive Plan (2006) was amended in 2011 to recommend employment uses for this property. The Royster-Clark Special Area Plan (2009) recommends primarily employment uses for this property, and buildings two to four stories in height.

Zoning Summary: The property is in the Traditional Employment (TE) District. Zoning comments will be provided to the Plan Commission in a separate document.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services, including Metro Transit Route 38 with peak hour weekday service along Cottage Grove Road toward downtown in the AM peak and from downtown in the PM peak, Route 39 with off-peak weekday service running along Dempsey Road to the East Transfer Point. The nearest full-day and weekend bus service is Route 16, which runs along Monona Drive / Atwood Avenue, approximately 0.3 miles west of the subject site.

Related Reviews and Approvals

The Urban Design Commission received an informational presentation on October 1 (see attached report), and will review it again formally on November 5. The proposal was originally going to be before the Urban Design Commission for review of Large Retail Standards (MGO 33.24(4)(f)), which remain in this report for reference. However, now that there is more certainty that a public library (Pinney Branch Library) will be relocated to one for the ground floor spaces, the proposal no longer triggers the Large Retail Standards, and instead can be reviewed by the UDC as a public building, for which there are no distinct standards.

The applicant will be seeking TIF assistance for the proposal. The Board of Estimates and Common Council will consider the request at a future meeting (date unknown).

Project Description

The applicant proposes to construct a four-story mixed-use building with 41,200 square feet of non-residential space on the ground floor and 89 apartment units on the upper three floors.

Land Use – The western half of the ground floor non-residential area, a 21,339 square foot commercial space, will likely include the Pinney Branch Library, which is planned to be relocated to this site. The eastern half of the ground floor, a 19,880 square foot commercial space, is being designed for a grocery store tenant. On the upper three floors of the building, the residential dwelling unit mix includes 48 one-bedroom apartments and 41 two-bedroom apartments ranging in size from 790 to 1,229 square feet. The applicant is considering incorporation of age-restricted housing for seniors for all or a portion of the units.

For usable open space, each dwelling unit includes an approximately 50 square foot private balcony. Large decks on the roof of the first floor are identified as additional usable open space for the residents, although current floor plans do not show a common access point to these areas. Finally, at-grade spaces surrounding the building are identified as additional usable open space. Each unit has its own laundry facilities and a small storage unit outside of the unit that can be accessed from the main hallway on each floor.

Building Placement and Massing – The 193,180 square foot building is 423 feet long along Cottage Grove Road, with the front setback ranging from 8 to 25 feet. The building is designed with two halves separated by a 38-foot wide central indoor “courtyard” area, which is recessed by 10-15 feet and is the site of the main entrance to the building’s first floor commercial spaces. Along Dempsey Road, the building is approximately 132 feet deep, and sits approximately 9 feet from the public right-of-way. Second through fourth floors are stepped back approximately 8 feet from the front of the building along Cottage Grove Road.

Access, Parking, and Circulation – Primary automobile access to the site is provided on the east side from Dempsey Road, and secondary access driveways shared with adjacent properties are provided on the north side from Pinney Street and on the west from Royster Oaks Drive. Bicycles and pedestrians can access the site from these locations as well, and also from Cottage Grove Road in front of the building.

For the residential units, 104 automobile stalls and 90 bicycle parking stalls are provided underground, via a garage entrance on the far west side of the building. 197 surface parking stalls are proposed to serve the library and grocery use, representing a ratio of 4.7 stalls per 1,000 square feet of floor area. 64 bicycle parking stalls are distributed around the site, with 4 near the main entrance on Cottage Grove Road, 24 near the back entrance to the western commercial space, and 36 in the center of the surface parking lot, behind the accessible parking stalls.

Entrances to each of the commercial spaces and are provided on the north side of the building facing the parking area. Additional entrances into a central “interior courtyard” area leading to both commercial spaces are provided from both Cottage Grove Road and on the north side of the building. Pedestrians can access residential lobbies for either “wing” of the building from the interior courtyard as well.

On the north side of the building, drop-off lanes are proposed near the central interior courtyard area, and near the rear entrance to the library half of the building. A commercial loading area is proposed as an inset into the northeast corner of the building for the grocery component, with three overhead doors set in over 50 feet from the northern facade of the building, and screened from Dempsey Road.

An interior trash room is shown in the southeast corner of the basement, which is proposed to serve the library and residential tenants. The applicant has indicated that additional trash storage will be provided near the commercial loading dock on the northeast corner of the building to serve the grocery store tenant.

Building Exterior – While the architectural style is consistent for the entire building, the exterior is divided by the central interior “courtyard” area into two separate material palettes, each with different architectural details. The western half of the building has a prairie stone base reaching up through the first floor (and up to the third floor in some areas), with brick and fiber cement on upper floors. Materials on the top parapet and corner elements of this component of the building are not specified. Storefront windows account for most of the first floor facade area, with windows reaching from the ground to over ten feet. Upper level windows are approximately 6 feet tall, and arranged in either pairs or groups of three.

The eastern half of the building has a stone base reaching up a few feet, with brick and corrugated metal siding on upper levels. Windows on all levels have similar proportions as those on the other half of the building, but are arranged in a more industrial design. On the ground floor, corrugated metal panels are placed intermittently, allowing some space for opacity for interior service areas. These are designed with framing behind them that could accommodate future windows.

The floor plans indicate that individual HVAC units will be provided in each dwelling unit, and that the penetrations will face the side walls of balconies, so that they are perpendicular to the street.

Landscape Plan – The landscape plan includes 49 canopy trees, mostly in the surface parking area and around the perimeter of the site, with a row of chanticleer callery pear trees and low perennials along the front of the building. Ornamental trees and shrubs are proposed along the north side of the building, and a mix of trees and low perennials are proposed around the perimeter of the parking area. The landscape plan at this time specifies the intended use of stone mulch, which some members of the Urban Design Commission cautioned against at an informational presentation in September.

Project Analysis and Conclusion

Lane Use and Plan Consistency – Like the general land use recommendations in the Comprehensive Plan, the Royster-Clark Special Area Plan (2009) recommends employment and mixed-use development for the subject property, and also recommends that a library would be appropriate as part of a mixed-use development on this site. A majority of the proposed building falls within the area planned for employment use, and a small portion of the west side of the site lies within the area planned for mixed-use development. Specific recommendations relevant to the subject site are as follows:

Employment Area

Recommendation 5 - *Develop the southeast corner of the Royster-Clark Site at the Cottage Grove Road / Dempsey Road intersection with high-quality, predominantly employment uses that reflect the overall vision and development theme of this plan.*

Buildings developed at this corner should have strong orientation to both streets and be a minimum of two stories in height, and preferably three to four.

Recommendation 8 - *Encourage multi-story buildings between two and four stories in height within the planned employment areas, and particularly on the Royster-Clark Site. Require multi-story buildings at key locations, such as corners at intersecting streets along Cottage Grove Road.*

Recommendation 9 - *Prohibit employment uses that generate heavy rail or truck traffic, high noise levels, or that would result in groundwater or air pollution.*

Require development proposals to limit truck-loading facilities to a small proportion of the proposed site plans. Non-nuisance uses related to production and light processing may be allowed, but the external impacts of these uses shall be contained on the site.

Mixed-Use Area

Recommendation 16 - *Develop the Cottage Grove Road frontage with a variety of mixed-use activities, including developments combining ground floor retail with residential or employment uses on the upper stories, as well as dedicated office or residential buildings.*

Recommendation 17 - *Concentrate retail businesses into relatively few nodes designed to create engaging neighborhood activity centers. In general, large-scale and freestanding retail developments are not recommended.*

Recommendation 18 - *Encourage relatively large developments comprised of multi-use and mixed-use buildings within the Royster-Clark mixed-use area, rather than uncoordinated development of many individual buildings on small frontage parcels. Prohibit land divisions in proposed employment and mixed-use areas resulting in parcels less than one acre in size unless a development proposal associated with the subdivision can demonstrate consistency with this Plan.*

Recommendation 19 - *To help frame the Cottage Grove Road corridor and provide good pedestrian accessibility, new development in the mixed-use area on the north side of Cottage Grove Road and incremental redevelopment on the south side of Cottage Grove Road should follow these guidelines:*

Buildings should be between two and four stories in height.

The front façade of buildings should be located between 15 to 25 feet of the property line along the north side of Cottage Grove Road to allow space for the possible future burying of the overhead transmission wires.

*Staff notes that as part of the City's reconstruction of Cottage Grove Road, the overhead transmission wires mentioned in the Plan will be relocated elsewhere on the site. Thus, there is no longer a need to allocate space for them to be buried in the future.

Buildings should be oriented to the street, with direct pedestrian access from the public sidewalk along Cottage Grove Road to building entrances.

Parking lots should be located to the side or the rear of buildings to maintain an attractive streetscape with limited driveway access.

First floor storefront design with a high proportion of glass with views into business is encouraged, especially for retail or corner buildings.

Large trees are encouraged within the front yard setback along Cottage Grove Road.

Civic and Institutional Uses

Recommendation 20 - *Neighborhood serving institutional uses should be located within the recommended mixed-use area, and are encouraged to co-locate with supporting uses that can create a multiple-purpose destination.*

A branch library would be an appropriate institutional use within the mixed-use area. The corner of Cottage Grove Road and Dempsey Road could also be an appropriate location for a library as part of a mixed-use development that provided the recommended building form.

Staff notes the proposed building meets the height and basic design parameters for both the employment and mixed-use areas in the Royster-Clark Special Area Plan (Plan). While they are not classic employment uses, the proposed grocery store and library uses will provide employment opportunities, likely to a greater extent on a per square foot basis than other general retail facilities would provide.

The inclusion of 89 residential units on upper levels at a density of approximately 24 units per acre is appropriate for this site, and consistent with Plan recommendations for the mixed-use area. Senior housing, which is being contemplated for the site by the applicant, was mentioned in the Plan as desirable on the Royster-Clark site, and would fit very well with the proposed ground floor uses. However, it is important to note that this proposal does indeed diverge from the Plan, which envisioned primarily office use at the corner location.

While office space would certainly be supported as a significant part of the building, and would be more consistent with Plan recommendations for this corner, staff believes that the mix of civic, commercial, and residential uses proposed will work very well together, serve the needs of the neighborhood and broader area, and serve to catalyze further investment in the area. Further, the proposed four-story building would have a significant presence on this critical corner, which was heavily emphasized in the Plan. Finally, additional space for employment uses is still available between the proposed building and the Capital City Trail. If this mixed-use development moves forward as proposed, future uses immediately to the north should be employment-focused, so that the employment recommendations in the Plan can be furthered on the site.

Building Placement and Design- Staff supports the massing and placement of the building, noting the importance of the central "interior courtyard" element, which provides access to all uses within it, as well as mid-block access through the building and site, linking Cottage Grove Road and Pinney Street.

Staff is also generally supportive of the building exterior, which utilizes durable materials and is well articulated to help break up the building's mass. The proposed corrugated metal and window pattern on the eastern half of the building give a nod to the former industrial use on the site.

Access, Parking, and Circulation - Staff believes that the automobile circulation through and around the site will effectively distribute traffic to Dempsey Road, Pinney Street, and Royster Oaks Drive. Staff is generally concerned about the size of the surface parking area proposed behind the building, and its potential to preclude further employment-oriented development along Pinney Street and Dempsey Road. Staff has mentioned to the applicant a need to demonstrate that the surface stalls could be partially replaced with employment uses oriented to Dempsey Road and Pinney Street, and supported with underground and/or structured parking in the future. Staff recommends that a conceptual plan with realistic employment and parking layouts to demonstrate this potential be provided for staff review, prior to final approval.

Staff also sees room for improvement in the placement and distribution of bicycle parking, which is very important at this location and can accompany significant public investment planned for bicycle infrastructure linking the site to the Capital City Trail immediately to the north. The central bicycle parking area shown on the plans should be moved closer to the building, and some bicycle stalls that can accommodate bike trailers should be incorporated near the grocery store entrance(s). Finally, additional bicycle parking should be provided near the main entrance to the building along Cottage Grove Road for visitors coming from the south, east, or west.

Finally, staff would like to see an additional entrance to the building oriented toward Dempsey Road. This would better address Recommendation 5 in the Plan, which calls for buildings at this corner location to be oriented to both streets. In discussions with the applicant, staff understands that grocers (and libraries, for that matter) are reluctant to provide multiple entrances. Understanding this, staff appreciates the incorporation of two entrances into each commercial space in the proposal. However, the eastern side of the building, which is nearly half comprised of a screen-wall for the loading dock, could be improved with an additional entrance to the grocery space near the corner of the building.

Large Retail Standards – When originally submitted, the proposal met the retail square footage threshold for review the standards in MGO Section 33.24(4)(f), as the space now specified for the Pinney Branch Library was proposed as general commercial space. Now that the library is the specified use for this space, it no longer requires review based on these standards, and instead will be reviewed by the Urban Design Commission because is (partially) a public building. Staff has retained this section of the report, noting that the large retail standards are met, in any case. Specific requirements and staff findings are included below.

4. Customer Entrances

a. The side of a building that directly abuts the most traveled public or private right-of-way that provides vehicular and pedestrian access to the site shall feature at least one (1) customer entrance. The entry may utilize a pedestrian plaza, entry portico, of other community feature as described in Pat. 8, below, between the building and sidewalk. Corner entrances may be considered to meet this requirement.

The proposal meets this requirement, with a significant customer entrance to the building oriented to Cottage Grove Road between the two wings of the building.

5. Site Design (This complex requirement provides options for the proportion of buildings that need to be close to the street).

The proposal easily meets this requirement, as the entire width of the building is proposed with an 8 to 11-foot setback from Cottage Grove Road.

6. Parking

a. Off street parking facilities shall be located at least ten (10) feet from the property line and/or right-of-way and utilize a landscape buffer that includes trees, shrubs, decorative fencing, benches, flowerbeds, ground covers, or other high quality materials.

The proposal as revised can meet this requirement, as adjustments have been made so that the surface parking area is located at least ten feet from any property line (except for the west property line, which runs down the middle of a shared parking area with the adjacent property). A mix of deciduous trees is proposed along both the northern and eastern edges of the parking lot, which the UDC should review and assess for adequacy.

- b. *Transportation Demand Management* – Note: This requirement applies to retail establishments over 40,000 square feet in size or with 100 or more full-time equivalent employees. This does not likely apply as part of MGO 33.24(4)(f), as the grocery store tenant will unlikely have 100 or more full-time employees.

7. Pedestrian Circulation

- a. *Sidewalks shall be provided along all sides of the site abutting a public or private right-of-way. Public sidewalks within the right-of-way may be used to meet this requirement.*

Staff believes that this requirement is met.

- b. *Continuous internal pedestrian walkways at least six (6) feet in width shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points. Walkways shall have adjoining landscaped areas along at least fifty percent (50%) of their length. These areas shall include trees, shrubs, benches, flowerbeds, ground covers, or other such materials.*

Staff believes that this requirement is met with revised plans.

- c. *Sidewalks at least eight (8) feet in width shall be provided along the full length of the building façade featuring a customer entrance, and along any façade abutting parking areas and shall provide at least eight (8) feet in width clear from any merchandise, vending, or other obstructions. These sidewalks shall be located at least six (6) feet from the façade to provide planting beds for foundation landscaping, except where features such as arcades, entryways, or community features, as defined in Par. 8., below, are part of the facade.*

Staff believes that this requirement is met with revised plans.

- d. *Internal pedestrian walkways provided in conformance with subparagraph b., above, shall have weather protection features, such as awnings or arcades within thirty (30) feet of all customer entrances and shall be constructed parallel to the façade of the building but need not extend into driving aisles or parking areas.*

Staff believes that this requirement is met with revised plans.

- e. *All internal pedestrian walkways and crosswalks shall be distinguished from driving surfaces to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Walkway materials shall be of durable, low-maintenance surface materials, such as pavers, bricks, or scored concrete. Signs shall be installed to designate pedestrian walkways.*

The UDC should take a close look at the proposal to make sure that this requirement is sufficiently addressed.

- f. *Sidewalks shall connect transit stops on or off-site as well as to nearby residential neighborhoods.*

Staff believes that this requirement is met.

Conditional Use Standards – The Planning Division staff evaluation of the proposed project’s ability to meet the standards for conditional use approval is summarized below.

As stated in MGO Section 28.183(6)(a), *“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 as adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the following conditions are present:*

1. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*

Staff believes that this standard is met.

2. *The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.*

Staff believes that this standard is met, but notes that while the site has peak hour and off-peak hour service available during the weekdays, the nearest full-day and weekend transit service is along Monona Drive / Atwood Avenue, 0.3 miles to the west of the site.

3. *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*

Staff believes that this standard is met.

4. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

Staff believes that this standard is met, so long as Condition No. 5 is sufficiently addressed.

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.*

Staff believes that this standard can be met, so long as conditions of approval related to bicycle parking and pedestrian circulation are sufficiently addressed.

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.*

Staff believes that this standard can be met, so long as conditions of approval relating to bicycle parking are sufficiently addressed.

7. *The conditional use conforms to all applicable regulations of the district in which it is located.*

Staff believes that this standard can be met, so long as all conditions of approval are sufficiently addressed.

9. *When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendations.*

Statement of Purpose for Traditional Employment (TE) District

The TE District is established to encourage a broad range of employment activities, taking advantage of the varied transportation options and proximity to urban activities and cultural amenities found in many Traditional Employment locations. Residential uses are of secondary importance. The district is also intended to:

- a) Encourage businesses with the potential to provide significant numbers of living-wage jobs that contribute to a sustainable economy and a strong tax base*
- b) Support the continued use or adaptive re-use of traditional industrial buildings for a variety of purposes*
- c) Facilitate preservation, development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.*

Staff believes that this standard can be met, when taking into account this specific site as part of a larger Traditional Employment (TE) area. However, the applicant should note that development in the balance of the TE area should emphasize employment uses. If this development moves forward as proposed, buildings with significant residential components should not be contemplated on parcels to the north.

[Standards 8 and 10-15 do not apply to this request]

Conclusion- On balance, staff believes that the proposed four-story mixed-use building with a library, grocery store, and upper-level residential uses will strongly contribute to the revitalization of the Royster-Clark site and surrounding area. While not entirely consistent with Royster-Clark Special Area Plan recommendations for employment uses on the corner property, staff believes that all relevant conditional standards can be met with the proposed mixed-use building in the Traditional Employment District.

Recommendation

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the requests at 516-530 Cottage Grove Road. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Heather Stouder, 266-5974)

1. Final plan sets provided for staff review and approval shall be revised to include common access to the proposed roof deck areas on the back of the building above the first floor commercial space. Landscaping and architectural details shall be provided to include design elements to create small private patio spaces for dwelling units immediately adjacent to these areas. Passive and active green roof elements are strongly encouraged in the common area beyond the private patios.
2. Final plan sets provided for staff review and approval shall include revisions to the bicycle parking proposed for the site as follows:
 - a) Opportunities for bicycles with trailers shall be provided near the entrance(s) to the grocery store space.
 - b) The bicycle stalls located in the middle of the surface parking lot shall be relocated further to the south, in the area where accessible surface parking stalls are proposed. Details shall be provided regarding ramps to access this area.
 - c) Additional bicycle parking shall be provided along the south side of the building to accommodate cyclists coming from Cottage Grove Road or areas south of the site. The applicant shall coordinate with Traffic Engineering to create convenient bicycle access to this area from Cottage Grove Road.
3. The applicant shall provide a trash management plan for both residential and non-residential spaces. Trash and recycling chutes serving the residential floors are strongly encouraged, and may entail relocation of the residential trash room to a more centralized area.
4. Final plans provided for staff review and approval shall include further detail of the "terrace" space above the entrance to the underground parking area, including paths of access to this space from within or outside of the building.
5. Final plans provided for staff review and approval shall include a conceptual site plan showing future developable space along Pinney Street and Dempsey Road and associated underground or structured parking, to replace a portion of the surface parking currently proposed.
6. Final plans provided for staff review and approval shall indicate a convenient route for bicyclists to enter the underground parking area from all three surrounding streets. Elevators designed to accommodate bicycles and automated doors at intended entrances shall be included.
7. The applicant is encouraged to include an entrance to the building facing Dempsey Road or the corner of Cottage Grove Road and Dempsey Road.

City Engineering Division (Contact Janet Schmidt, 261-9688)

8. Lots 2 and 3 of Royster Corners, included in this site plan, provide and utilize common access and fire lanes serving Lots 1, 4 and 5 of Royster Corners. A Common Access – Fire Lane Easement/Agreement between this site and Lots 1, 4 and 5 of Royster Corners shall be drafted, executed and recorded prior to plan sign off.
9. Lots 2 and 3 of Royster Corners included in this site plan, along with Lots 1, 4, and 5 of Royster Corners, are dependent upon on each other for overland and subsurface stormwater drainage. A private Storm Sewer/Drainage Easement/Agreement for all lots with shared drainage shall be drafted, executed and recorded prior to plan sign off.
10. The proposed new building will cross an underlying platted lot line. Current fire code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM combining Lots 2 and 3 along with required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
11. This site and Lot 4 of Royster Corners to the west have a shared access along the common lot line for access to each lot's underground parking facilities. A private common access Easement/Agreement between this site and Lot 4 shall be drafted, executed and recorded prior to plan sign off.
12. Any private water mains or hydrants that are required for fire protection of more than one lot within this development shall have a common water main Easement/Agreement drafted, executed and recorded prior to plan sign off.
13. The thru private drive from Royster Oaks Drive to Dempsey Road is named Grand Oak Trail. Label this named access drive on all sheets.
14. Applicant shall verify that elevations of proposed infrastructure matches the City proposed utilities (see City Project #53W1537 – Royster Corners Assessment District).
15. Provide a description and guidance on how the contaminated soils will be handled during the construction process. It is expected that the PAH contaminated soils will need to receive an approved cover, as dictated by WisDNR or to be disposed of at an approved landfill. A deed restriction may be necessary identifying the contamination on site. Provide documentation from DNR on approval of the handling of the materials.
16. The City will be completing the interior roadway construction for the Royster Corners Plat in the Spring of 2015. The Applicant will have to coordinate the work and access to their site to accommodate the City's completion date. The new sidewalk on Dempsey Road and Cottage Grove Road will be completed at that time. In 2016, the City will be reconstructing Cottage Grove Road and Dempsey Road. There will be a bike path within the terrace on Dempsey Road adjacent to this project. The proposed access drive on Dempsey will need to accommodate the bike path, as necessary. The Applicant shall coordinate the design and location of the proposed driveway with City Engineering and City Traffic Engineering.
17. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. 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 interior address plan is subject to the review and approval of the Fire Marshal.
18. 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 (POLICY).

19. 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 (POLICY).
20. The Applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system (POLICY).
21. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5 and MGO 23.01).
22. All damage to the pavement on Cottage Grove Rd, Dempsey Road, Pinney Street and Royster Oaks Drive, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link:
<http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
23. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
24. 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).
25. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
26. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION).

27. 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 (POLICY).
28. 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 (POLICY).

29. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:

- a) Provide oil & grease control from the first 1/2" of runoff from parking areas
- b) 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 MGO Chapter 37.

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

30. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

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

31. 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 (POLICY).

Traffic Engineering (Contact Eric Halvorson, 266-6527)

32. The underground parking appears to be a mixture of Medium and Large Vehicle standards and One-Size-Fits-All standards which is not permissible. One can use Medium and Large Vehicle standards and Small Vehicle standards as long as the Small Vehicle parking is signed at the front of each stall. To be approved all Medium and Large Vehicle stalls shall have a minimum backup of 24 feet free and clear of all obstructions and Small Vehicle parking stalls shall have a minimum backup of 22 feet free and clear of all obstructions.

33. Modify entrance on Dempsey Rd so the entrance flair does not start until it is clear of the cycle track.

34. Applicant shall provide a higher order signing at the driveway exit to Dempsey road to improve safety of the two-way cycle track along Dempsey Road. Necessary signage will be determined by the City Traffic Engineer.

35. The radius of the curb from the loading dock does not appear to allow an ADA compliant connection to the City sidewalk along Dempsey. This will need to be corrected prior to final sign off.

36. Applicant shall provide a continuous pedestrian walkway between the entry courtyard and Pinney Street.

37. While Lot 1 is not part of this submittal, it is not likely another driveway would be permitted onto Dempsey road given the safety implications to the two-way cycle track. Applicant may want to consider design of Lot 2 to incorporate possible vehicle access window for Lot 1 if that is the intent of the driveway from Lot 1.

38. One hundred four auto parking spaces are provided for the development, which has 89 residential units and 41,200 square feet of commercial uses. It is not clear from the letter of intent whether these auto parking spaces are reserved at all times for the residents. If fewer than 89 off-street spaces are not reserved at all times for the residents, this is fewer than a 1:1 ratio of parking spaces to residential units. A condition of approval shall be that no residential parking permits shall be issued for 516-530 Cottage Grove Road unless a minimum of 89 off-street spaces are reserved for residents only at all times. This is consistent with other projects in the area. The applicant shall inform all tenants of this facility requirement in their apartment leases. In addition, the applicant shall submit for 516-530 Cottage Grove Road a copy of the lease noting the above condition.

39. 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.

40. 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.

41. 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.

42. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Fire Department (Contact Bill Sullivan, 261-9658)

43. Provide a single fire alarm and single fire sprinkler system to protect the building.

44. Coordinate landscaping with aerial access lanes. Proposed trees block the proposed aerial access.

Parks Division (Contact Kay Rutledge, 266-4714)

45. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Olbrich park impact fee district (SI25). Please reference ID# 13123.1 when contacting Parks about this project.

46. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Zoning Administrator (Contact Pat Anderson, 266-5978)

Comments will be provided to Plan Commission in a separate document.