



PREPARED FOR THE PLAN COMMISSION

Project Address: 4814 Freedom Ring Rd. (District 16 - Ald. DeMarb)
Application Type: Conditional Use
Legistar File ID # [41276](#) and [42744](#)
Prepared By: Jessica Vaughn, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: Steve Shulfer; Shulfer Architects; 7780 Elmwood Ave., Suite 208; Middleton, WI 53562

Property Owner: A-Budget Warehouses, Inc.; PO Box 12; McFarland, WI 53558

Contact: Nick Bradura; Shulfer Architects; 7780 Elmwood Ave., Suite 208; Middleton, WI 53562

Requested Action: The applicant requests approval of a Conditional Use to construct an automobile service station with convenience store at 4814 Freedom Ring Rd.

Proposal Summary: The applicant is seeking approval of a Conditional Use to construct an automobile service station with convenience store at 4814 Freedom Ring Rd. As part of the application request the applicant is proposing to construct a roughly 4,845-square-foot multi-tenant building, including convenience store, commercial space and small office space on the second floor corner element of the building.

Applicable Regulations & Standards: The project site is located with the Neighborhood Mixed Use (NMX) zoning district which identifies automobile service stations and convenience stores as conditional uses. This proposal is subject to the standards for Conditional Uses pursuant to Section 28.183(6), MGO and the Supplemental Regulations pursuant to Section 28.151, MGO for automobile service stations and convenience stores.

Review Required By: Advisory Recommendation by UDC, Plan Commission

Summary Recommendation: If the Plan Commission can find that the approval standards for Conditional Use are met, it should **approve** the conditional use request to allow an automobile service station and convenience store to be constructed at 4814 Freedom Ring Rd. subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The project site is located at the northwest corner of Siggelkow and Freedom Ring roads and is comprised of approximately 1.1 acres. The site is in Aldermanic District 16 (Ald. DeMarb) and the Madison Metropolitan School District.

Existing Conditions and Land Use: Currently the project site is vacant.

Surrounding Land Use and Zoning: The project site is zoned Neighborhood Mixed Use (NMX). Pursuant to Section 28.064, MGO, the NMX zoning district's general purpose and intent statement speaks to:

- Encourage pedestrian, bicycle and transit use as a means of accessing these commercial areas;

- Ensure diversification of uses, including residential, commercial and civic uses, in order to enhance the vitality and appeal of these areas; and
- Facilitate preservation, development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

North: Single-family residences, Traditional Residential-Consistent 3 (TR-C3) zoning;

East (across Freedom Ring Road): Single-family residences, TR-C3 zoning (northwest), and multi-family residences, Suburban Residential-Varied 2 (SR-V2) zoning (southwest);

South (across Siggelkow Road): Village of McFarland, Siggelkow Park; and

West: Multi-family residences (Meadows at Liberty Place Apartment Homes), SR-V2 zoning.

Zoning Summary:

Zoning Criteria		
Requirements	Required	Proposed
Front Yard Setback	Maximum 25'	Less than 25'
Side Yard Setback: Where proposed buildings abut residentially-zoned lots at side lot line.	Minimum side yard required in the adjacent residential district: 5'	Adequate
Rear Yard Setback	20'	Adequate
Maximum Lot Coverage	75%	59%
Maximum Building Height	3 stories/ 40'	2 stories
Front Yard Setback	Maximum 25'	Less than 25'
Side Yard Setback: Where proposed buildings abut residentially-zoned lots at side lot line.	Minimum side yard required in the adjacent residential district: 5'	Adequate
Rear Yard Setback	20'	Adequate
Maximum Lot Coverage	75%	59%
Site Design	Required	Proposed
Number Parking Stalls	Auto convenience store: Maximum 1 per 500 sq. ft. of floor area (6) General retail, service business: Maximum 1 per 200 sq. ft. floor area (6) Office: Maximum 1 per 250 sq. ft. floor area (TBD) Coffee shop, restaurant: Maximum 40% of capacity of persons (TBD)	25
Accessible Stalls	Yes	2
Loading	None	None

Other Critical Zoning Items	
Yes:	Barrier Free (ILHR 69), Utility Easements
No:	Urban Design, Historic District, Floodplain, Adjacent to Park, Wetlands, Wellhead Protection District

Zoning Tables prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

Comprehensive Plan: The Comprehensive Plan recommends General Commercial (GC) development for the project site. GC development is characterized as areas that provide a wide array of goods and services, and are not generally expected to include residential uses. GC districts are:

“...typically compact areas, located along roadways and larger commercial districts serving a wide variety of retail or service amenities, including automobile-oriented uses and “heavy” commercial uses with appearance or operational characteristics not generally compatible with residential or small-scale commercial activities” (Comprehensive Plan, Pg. 2-92).

The Comprehensive Plan recognizes that GC districts may provide supporting uses to adjacent neighborhoods, and that an attractive interface, connectivity, areas of transition and compatibility of scale with adjacent residential development should be encouraged. The Comprehensive Plan identifies automobile-oriented uses, such as service stations as a recommended land use in the GC district.

Adopted Neighborhood Development Plan: The project site is located within the Marsh Road Neighborhood Development Plan (the “Plan”) planning area. The Plan identifies the project site as neighborhood convenience commercial where *“convenience-type commercial uses would be appropriate...providing the greatest opportunity for convenience-type trips”* (Marsh Road Neighborhood Development Plan, Pg. 24). The Plan also provides general development guidelines, including:

“This site should be developed so that it provides an amenity to the neighborhood. The layout of the site and design of the building(s) should be compatible with the residential character of the neighborhood. Development plans should provide a pedestrian- friendly side toward the neighborhood. Vehicle-oriented activities should occur along the Siggelkow Road side of the site” (Marsh Road Neighborhood Development Plan, Pg. 24).

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.

Project Description

The applicant requests approval of a Conditional Use to construct an automobile service station with convenience store at 4814 Freedom Ring Rd. As part of the application request, the applicant is proposing to construct a roughly 4,845-square-foot multi-tenant building, including convenience store (3,200 square feet), a commercial tenant space (1,195 square feet) and small office space (450 square feet) on the second floor, corner element of the building. The project site has a heightened level of visibility being located at the intersection to two streets, Siggelkow Road on the south and Freedom Ring Road on the east. The building is designed to address both frontages with building entries, sidewalk connections, a patio feature along Freedom Ring Road and glazing. Although the building will be primarily one story in stature, it will have a two-story element at the corner. The building design reflects a more residential building type in detail and materials, including a gable roof configuration, covered entries, decorative roof brackets, and masonry and fiber cement siding as the primary building materials.

The development proposal also includes the following site improvements:

- A total of 27 parking stalls: 18 striped stalls generally located along the internal building frontage and the west side of the site (18 feet off the property line), eight (8) fueling positions and one (1) vacuum station position.
- An area designated as future parking to be constructed based on future demand and use requirements is also proposed. Recognizing that parking is based on either floor area or seating depending on the use, Zoning staff has recommended a condition of approval regarding the review and approval of the construction of the future parking in conjunction with the tenant spaces being occupied.

- A total of six (6) bike parking stalls to be located on both sides of the building: four (4) along Freedom Ring Road and two (2) internal to the site near the south building entrance, closer to Siggelkow Road.
- Four gas pump islands and canopy (not more than 17 feet in height) are proposed to be centrally located on the project site. Since the design details of the proposed gasoline pump canopy have not been included in the application materials to date, Planning Division staff has recommended a condition of approval requiring additional review and approval of the proposed canopy.
- A vacuum station, to be located along Siggelkow Road, is proposed. The vacuum station location is 50 feet from the western property line (multi-family residential development) and 11 feet from Siggelkow Road.
- Screening with both a seven (7)-foot ornamental wood fence and landscaping is proposed along the north, west and a portion of the south sides of the site are proposed.
- A trash enclosure is proposed to be located in the northwest corner of the paved area.
- Two underground gasoline storage tanks are located on the north side of the paved area.
- Site lighting is proposed in the form of 14-foot tall pole mounted lights in drive aisles, under canopy lighting (mounted at 15 feet) and building façade lighting.

Analysis and Conclusion

In order to approve the Conditional Use, Plan Commission must find that the proposed automobile service station and convenience store meets the Conditional Use approval standards pursuant to Section 28.183(6), MGO and the supplemental regulations pursuant to Section 28.151, MGO for automobile service stations and convenience store uses.

Conditional Use Approval Standards: In the Plan Commission's consideration, the Planning Division has identified specific Conditional Use approval standards for the Commission's consideration in whether the requested conditional use should be approved. Specifically, standards #1 and #3 have been identified which speak to public health, safety or general welfare and the uses, values and enjoyment of other properties, respectively.

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

During the development review process the Village of McFarland contacted the Planning Division staff to express concerns about placing an automobile service station within approximately 1,200 feet of the Village of McFarland's Well No. 3, which is generally located at the southeast corner of the intersection of North Autumn Lane and Siggelkow Road, to the east of the project site. Since then, City staff has met with both the applicant and the Village of McFarland to request additional information regarding this issue.

In light of the initial concerns expressed by the Village of McFarland and staff, the applicant submitted an application to the State of Wisconsin, Department of Agriculture, Trade and Consumer Protection (DATCP), Bureau of Weights and Measures. DATCP is the State agency that is responsible for the review and approval of underground storage tanks, such as those that are proposed as part of this proposal. DATCP has subsequently issued a conditional approval dated January 26, 2016, for the applicant's request to locate underground storage tanks on the project site, and is attached to this report. The conditional approval is contingent on the underground storage tanks being installed to certain specifications that minimize the risk of fuel leakage and possible contamination, including:

- Double walled, reinforced tanks and pipes; and
- Tank and pipeline leakage detection sensors and monitoring systems.

The Village of McFarland contacted the Wisconsin Department of Natural Resources (DNR), which is the State agency responsible for review and approval of new wells and remediation of contamination efforts. The City has received two letters from the DNR, both of which are attached to this report. The first letter, dated May 6, 2016, states that *"Considering the age of the municipal well, construction of the well using 1995 standards, and the known aquifer conditions, I recommend that the gas station not be placed at this proposed location."*

The second letter dated, June 10, 2016, states that *"Ideally, the proposed gas station should be located as far away from the municipal well as possible. The risk of groundwater contamination is likely minimized from a newly constructed gas station through proper gas tank and piping construction, use of current leak detection methodology, and modern inventory controls."*

Based on separate Planning Division staff conversations with the DNR, and as documented in the DNR letter dated June 10, 2016:

- The presence of the gas station will not impact the Village's ability to upgrade the well in the future. The well's vulnerability assessment, however, will change, which will increase the frequency of the volatile offsite contaminant (VOC) sampling at the well.
- The flow of ground water is generally to the west, away from the well.
- After modeling, the time of travel for any contaminants from the proposed gas station to the well is greater than five years, but less than 50 years.
- The Village of McFarland does not currently have a wellhead protection plan in place to protect the Village of McFarland Well No. 3, or any other wellhead in the Village of McFarland.

It is important to note that while the City of Madison has a Wellhead Protection Plan in place to protect the City's municipal wells it does not apply to wells located in other jurisdictions.

Staff believes that it is reasonable for the Plan Commission to consider the information provided thus far, as well as any additional information provided by the applicant or Village of McFarland during the public hearing when considering this application request and its potential impacts to public health, safety, or general welfare. In order to meet Conditional Use Standard #1, Planning Division staff has recommended a condition of approval for the applicant to provide proof of compliance with the DATCP conditional approval in the form of a Permit to Operate.

Standard #3. Conditional Use Standard No. 3 states, *"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 speaks to the ensuring the compatibility of uses in terms of operational characteristics, and to implementing mitigation measures, if possible, of nuisance impacts. Nuisance impacts include those related to lighting, noise, trash, and hours of operation.

In order to meet this standard, Staff recommends that conditions of approval employ mitigation measures of the potential nuisance impacts be considered given the proximity of the project site to established residential uses, including:

- A condition limiting the hours of operation of the convenience store to 10 p.m.;
- A condition prohibiting outdoor display;
- A condition of approval that further minimizes the site lighting on the north side of the site; and
- A condition prohibiting the use outdoor amplified noise.

Planning Division staff believes that such limitations would be appropriate in the consideration of the project's potential nuisance impacts as they apply to the uses, values and enjoyment of other properties in the neighborhood (Standard No. 3).

Urban Design Commission: The applicant submitted the proposal to the Urban Design Commission for an advisory recommendation at the request of the Alder. The Urban Design Commission reviewed the design of the proposed auto service station and convenience store at it June 1, 2016 meeting and made an advisory recommendation to the Plan Commission for the development of a new gas station/convenience store located at 4814 Freedom Ring Rd. subject to the following considerations or modifications:

- Look at a reduction in asphalt.
- Consider a reduction in the number of pump islands.
- Consider shifting the islands further to the south.
- Lower lighting levels overall; no high fixtures.
- Adjust all elements to fit the scale and character of the residential neighborhood.
- This is not a highway commercial use, but a neighborhood convenience store and therefore, the changes we are suggesting are appropriate to fit the scale.
- Address of comments made by Jessica Vaughn of the Planning Division, including (in summary):
 - Decrease overall site paving;
 - Provide an adequate buffer and screening;
 - Limit light trespass and reduce overall site lighting along property lines;
 - Consideration should be given to reconfiguring the floor plan to create additional opportunities for glazing o be incorporated along the east and north facades.

A *draft* copy of the June 1, 2016 meeting minutes and the complete Planning Division report are attached to this report.

In response to the UDC's advisory recommendation, the applicant has prepared a revised Letter of Intent that addresses the considerations and modifications recommended by the commission. The Letter of Intent can be found as the first two pages of the plan set.

Public Comment: At the time of report writing, several public comments have been received, including those from the Liberty Place Neighborhood Steering Committee and the Village of McFarland, and are attached to this report. The concerns expressed include those that reflect the anticipated nuisance impacts of the proposed use (Standard 3) as well as those related to the potential impacts to the Village of McFarland Well and public safety (Standard 1), including:

- Water contamination;
- Decrease in property values;
- Increase in traffic/congestion and speeding;
- Pedestrian safety;
- Noise; and
- Pollution.

Given the level of concern expressed by the neighborhood regarding traffic and pedestrian safety, the applicant submitted a traffic study at the request of the Alder. Generally, the purpose of a traffic study is to evaluate the existing traffic and infrastructure conditions, and to gauge whether the impacts of a particular development

proposal warrant additional infrastructure. Traffic Engineering Division staff have reviewed the traffic study and provided a detailed analysis, which is attached to this report.

Conclusion

In order to approve the proposed automobile service station and convenience store uses at 4814 Freedom Ring Rd., the Plan Commission shall find that the proposed uses meet all of the Conditional Use approval standards, most notably that:

- The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare (Standard No. 1) as it relates to the location of the proposed automobile service station in proximity to the Village of McFarland Well No. 3; and
- 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 (Standard No. 3) as it relates to nuisance impacts to the surrounding, established residential development.

The Planning Division believes that the other standards, including standards #2 and #4-9 are met, or can be met with the conditions of approval provided in the Recommendation Section of this memorandum. In addition, the Planning Division believes that the supplemental regulations pursuant to Section 28.151, MGO for automobile service stations and convenience store uses, including those related to screening and distance separation requirements from residential zoning districts, have also been met.

Recommendation

Planning Division Recommendation (Contact Jessica Vaughn, (608) 267-8733)

If the Plan Commission can find that the approval standards for Conditional Use are met, it should **approve** the Conditional Use request to allow an automobile service station and convenience store to be constructed at 4814 Freedom Ring Rd. subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

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

Planning Division (Contact Jessica Vaughn, (608) 267-8733)

1. The hours of operation for the convenience store shall be limited to 5:00 a.m. to 10:00 p.m., seven days a week. The Director of the Planning Division may consider a minor alteration to the conditional use in the future to further modify the hours of operation for the convenience store following a recommendation by the district alder.
2. There shall be no amplified sound, including, but not limited to television, advertisements, and ambient music permitted at any time.
3. Outdoor display, sales, and storage shall not be permitted anywhere on the site.
4. Given the location of the project site adjacent to established residential development, on site light levels should be reduced to further limit light trespass and hotspots, especially along the north property line. Decreasing the overall height of the pole mounted fixtures (currently 14 feet in height as proposed), or

utilizing an alternative light fixture should be considered. The Applicant shall work with Planning Division and Building Inspection staff to finalize a site lighting plan.

5. Since an architectural rendering or elevation of the gasoline pump canopy has not been provided, the gasoline pump canopy is not part of this approval. Consideration should be given to a design that is integrated into and complementary to the principle structure, including building material palette. At the time of Final Site Plan Review, the Applicant shall work with Planning Division staff to finalize a gasoline pump canopy design.
6. Although an outdoor eating area is shown on the site plan, it is not part of this approval. Outdoor eating areas are conditional uses in the NMX zoning district. A separate review and approval is required prior to establishing an outdoor eating area.
7. The Applicant shall provide a copy of the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) Permit to Operate approval for the zoning file.

City Engineering Division (Contact Brenda Stanley, (608) 267-9127)

8. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:

- a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street names
 - j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
 - k) Private on-site storm sewer utilities (including all connections to public storm)
- All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to either: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

9. The Applicant shall submit, prior to plan sign-off, electronic copies of any Stormwater Management Files including:
 - a) SLAMM DAT files
 - b) RECARGA files
 - c) TR-55/HYDROCAD/Etc
 - d) Sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided (POLICY and Section 37.09(2), MGO).

10. The Applicant shall submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5"x14" size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required\ revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at ttroester@cityofmadison.com, or Jeff Benedict at jbenedict@cityofmadison.com final document and fee should be submitted to City Engineering.
11. The Applicant shall demonstrate compliance with sections 37.07 and 37.08, MGO regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
12. For commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required (NOTIFICATION).
13. The Applicant shall complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37, MGO.
14. The Applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (Section 37.05(7), MGO). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
15. Oil and Grease control measures are required for this site. The Applicant shall submit a plan to City Engineering for review and approval.
16. 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).
17. All work in the public right-of-way shall be performed by a City licensed contractor (sections 16.23(9)(c)(5) and 23.01, MGO).
18. All damage to the pavement on Siggelkow Road and Freedom Ring Road, 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).

Traffic Engineering Division (Contact Eric Halvorson, (608) 266-6527)

19. The Applicant dedicate 8 feet of property (document shall be drafted and administered by City of Madison Real Estate services all applicable fees paid by the applicant) to be used as Right-of-Way: the whole property frontage on Siggelkow Rd and 150 feet from the intersection (Siggelkow Rd and Freedom Ring Rd) on Freedom Ring Rd.
 20. The Applicant shall install dedicated pedestrian connections from the standard store entrance to the public right-of-way on both Freedom Ring Road and Siggelkow Road
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21. 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.
 22. 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.
 23. 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.
 24. All parking facility design shall conform to the standards as set forth in Section 10.08(6), MGO.
 25. All pedestrian walkways adjacent parking stalls shall be seven (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.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

26. It appears that the proposed number of parking stalls may be in excess of the maximum number of spaces. Work with Zoning staff to determine the maximum number of required parking stalls. Per Table 281-3 Off-Street Parking Requirements, the automobile parking maximum is one (1) stall per 500 sq. ft. of floor area for an auto convenience store, one (1) stall per 200 sq. ft. of floor area for general retail or service business, and one (1) stall per 250 sq. ft. of floor area for an office use. The Zoning Administrator may approve an increase of up to twenty (20) spaces above the maximum requirement. Submit an application for a Parking Adjustment and supporting documentation per section 28.141(6)(c) with the final plan submittal.
27. As each tenant space is leased, the entire development must reflect compliance in the required amount, type and number of auto and bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.
28. The proposed plans show an outdoor patio. Note that an outdoor eating area associated with a food and beverage establishment requires a separate conditional use approval.

29. The Applicant shall submit a landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3), "*Landscape Plan and Design Standards*", MGO landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
30. Clearly show the extent of the district boundary screening adjacent the north and west property lines. Screening shall be provided along-side and rear property boundaries between commercial and mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Submit a detail of the screening fence with the final plans.
31. The Applicant shall submit a detail of the trash enclosure. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
32. The Applicant shall submit a detail showing the model of bike rack to be installed.
33. The Applicant shall submit a floor plan for the second floor.
34. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d), MGO. For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade.
35. Per Section 28.186(4)(b), MGO, 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.
36. 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.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

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

Parks Division (Contact Janet Schmidt, (608) 266-4714)

38. Additional street trees are needed for this project on Siggelkow Road. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brian Meiller – bmeiller@cityofmadison.com or 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
39. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of

Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Water Utility (Contact Dennis Cawley, (608) 261-9243)

40. All operating private wells shall be identified and permitted by the Water Utility in accordance with Section 13.21, MGO. All unused private wells shall be abandoned in accordance with Section 13.21, MGO.

While this property is not in a City of Madison Wellhead Protection District the developer shall be aware that the Village of McFarland has a public water supply well in the vicinity of this development.

The developer has proposed relocating an existing public fire hydrant and lead on the east side of this parcel.

The developer shall assume ownership of the hydrant and all water supply piping on private property.

Metro Transit (Contact Timothy Sobota, (608) 261-4289)

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

City Engineering Review Mapping (Contact Jeff Quamme, (608) 266-4097)

42. The proposed landscape plantings within the Public Sanitary and Storm easement along the westerly side of the lot are subject to the rights of the City to maintain the public sewer. Any plantings within the easement removed for any sewer maintenance will be replaced by the owner at the owner's expense. This applies to easements for other utilities within this site as well.

43. No second floor site plan was attached. Additional first floor tenant space may or may not require a separate new address depending on internal configuration. The Applicant shall submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.