



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 515-527 S Gammon Road  
**Application Type:** Conditional Use  
**Legistar File ID #** [66551](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted.

**Summary**

**Applicant:** Adam Stein, Logic Design & Architecture, Inc.; 802 N 109<sup>th</sup> Street: Milwaukee.

**Property Owners:** CH Retail Fund I/ Madison Gammon Road, LLC; 3819 Maple Avenue; Dallas, Texas; c/o Ryan Burkhead.

**Requested Action:** Consideration of a conditional use in the Commercial Center (CC) District for a vehicle access sales and service window for a restaurant/ coffee shop tenant in a multi-tenant commercial building at 515-527 S Gammon Road.

**Proposal Summary:** The applicant is requesting approval of a conditional use to add a drive-thru window along the eastern rear wall of an existing one-story multi-tenant commercial building as part of the renovation of the northernmost tenant space into a Starbucks location. Construction of the vehicle access sales and service window will begin as soon as all regulatory approvals have been granted and the conditions of approval have been met. No timeline for completion of the project is indicated in the application materials.

**Applicable Regulations & Standards:** Table 28D-2 in Section 28.061(1) of the Zoning Code identifies vehicle access sales and service windows as a conditional use in the CC (Commercial Center) zoning district subject to supplemental regulations in Section 28.151. Section 28.183 provides the process and standards for the approval of conditional use permits.

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use for a vehicle access sales and service window for a restaurant/ coffee shop tenant in a multi-tenant commercial building at 515-527 S Gammon Road subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

**Background Information**

**Parcel Location:** An approximately 1.04-acre parcel located on the east side of S Gammon Road, midway between Odana Road to the north and the westbound Beltline Highway ramp to Gammon to the south; Aldermanic District 19 (Furman); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The property is developed with a one-story, 13,373 square-foot multi-tenant commercial building, zoned CC (Commercial Center District). Automobile parking for the subject site is provided in approximately 50 stalls located between the building and S Gammon Road on the west and N Platte Drive on the east. The subject site is part of a planned commercial site. Access to the site is provided by a shared driveway

to W Platte Drive and from S Gammon Road via a driveway located on 505 S Gammon Road, two parcels north of the subject property.

**Surrounding Land Uses and Zoning:**

North: The Diamond Center and Jared Galleria of Jewelry, zoned CC (Commercial Center District); Odana Road;

South: U-Haul Moving & Storage of West Towne, zoned CC;

West: West Towne Mall across S Gammon Road;

East: Ross Dress for Less, Burlington Coat Factory, etc., Burger King across N Platte Drive, zoned CC.

**Adopted Land Use Plan:** The 2018 Comprehensive Plan recommends the subject site and surrounding properties generally north of the Beltline for Regional Mixed-Use (RMU) development.

The site and surrounding area are also located within the boundaries of the 2008 Southwest Neighborhood Plan, which provides a series of neighborhood reinvestment strategies for the area generally bounded by Mineral Point Road on the north, S Gammon Road on the west, Raymond Road on the south and S Whitney Way on the east. The plan makes no specific recommendations related to the physical development of the subject property.

The site is also within the boundaries of the forthcoming Odana Area Plan, which will guide redevelopment of the large, predominantly auto-oriented, and low-density commercial area roughly centered on Odana Road between West Towne Mall and Westgate Mall into a dense mixed-use activity center. Adoption of the plan is pending.

**Zoning Summary:** The site is zoned CC (Commercial Center District):

Requirements	Required	Proposed
Front Yard	0' or 5'	Existing front yard
Side Yards	One-story: 5'   Two-story or higher: 6'	Adequate, existing
Rear Yard	Lesser of 20% of lot depth or 20'	Adequate, existing
Maximum Lot Coverage	85%	Existing lot coverage – no change
Maximum Building Height	5 stories/ 78'	Existing building
Auto Parking (Restaurant)	No minimum	45
Accessible Parking	Yes	Existing
Bike Parking (Restaurant/coffee shop)	5% of capacity (2 total)	(See conditions)
Loading	None	0
Building Forms	Free-standing Commercial Building	Existing; no change proposed
<b>Other Critical Zoning Items</b>		
Yes:	Barrier Free, Utility Easements	
No:	Urban Design, Floodplain, Wetlands, Wellhead Protection, Adjacent to Park, Landmarks	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

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

**Public Utilities and Services:** The site is served by a full range of urban services, including Metro Transit, which operates daily service along Odana Road adjacent to this site.

## Supplemental Regulations

Section 28.151 of the Zoning Code includes the following supplemental regulations apply to Vehicle Access Sales and Service Windows in the CC zoning district:

- (b) Points of vehicular ingress and egress shall be located at least 60 feet from the intersection of two streets and at least 60 feet from abutting residentially zoned property.
- (c) Plans for onsite circulation and driveway locations shall be reviewed where conditional use approval is required. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided without interfering with onsite parking/circulation.
- (d) Speaker box sounds from the drive-through lane shall not be plainly audible so as to unreasonably disturb the peace and quiet of abutting residential property.
- (e) Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing.
- (f) A six- (6) foot buffer area with screen planting and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property.
- (g) Bicyclist use of sales and service windows shall not be prohibited.

## Project Description, Analysis and Conclusion

The applicant is requesting approval of a conditional use to install a vehicle access sales and service window to serve a proposed Starbucks that will occupy the northernmost tenant space in an existing one-story, 13,373 square-foot multi-tenant commercial building located at 515-527 S Gammon Road. Vehicle access sales and service windows are a conditional use in the existing CC (Commercial Center) zoning district of the site.

The multi-tenant building is located on a 1.04-acre lot with frontage along S Gammon Road and W Platte Drive, a local public street that provides access to various commercial parcels located east of S Gammon Road between Odana Road and the Beltline Highway. Parking for the building is currently provided in 33 parking stalls located between the building and S Gammon and in 16 stalls located between the building and W Platte. Access to the site is provided by a shared driveway to W Platte Drive and from S Gammon Road via a driveway located on 505 S Gammon, two parcels north of the subject parcel.

Plans for the proposed vehicle access sales and service window call for an opening to be installed along the eastern wall of the building near the northeastern corner. An order board will be installed approximately five car lengths from the service window. An egress door located along the eastern elevation of the tenant space will be relocated to the north façade to accommodate the proposed service window opening. The parking area along the eastern side of the building will be restriped to create 12 diagonal stalls so that a lane may be marked for the drive-thru queue.

The Planning Division believes that the Plan Commission can find that the conditional use standards and supplemental regulations met to add a vehicle access sales and service window to the existing building. The proposed vehicle access sales and service window has been reviewed by City agencies, and no significant concerns have been raised that would suggest that the standards for approval could not be met, noting however, that the Traffic Engineering Division is recommending a modest reconfiguration of the queue for the proposed window to show room for six vehicles from the order board and three additional vehicles from the service window.

No alder, public, or neighborhood association comments have been received as of the writing of this report that would suggest that the Plan Commission could not approve the request as submitted subject to the proposed conditions. As with any conditional use, the Plan Commission retains continuing jurisdiction in the event that complaints are received about the vehicle access sales and service window, which could result in more restrictive conditions being applied if deemed necessary following an investigation and public hearing.

## **Recommendation**

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

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use for a vehicle access sales and service window for a restaurant/coffee shop tenant in a multi-tenant commercial building at 515-527 S Gammon Road subject to input at the public hearing and the following conditions:

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

### **City Engineering Division** (Contact Tim Troester, (608) 267-1995)

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

### **City Engineering Division—Mapping Section** (Contact Jeff Quamme, (608) 266-4097)

1. Label and note the reciprocal access easement between this site and the site at 509 S Gammon Road for parking and access north of the building.
2. Label and note the Access Easement over 505 S Gammon Road per Document No 3336874 that provides access rights to S Gammon Road.

### **Traffic Engineering Division** (Contact Sean Malloy, (608) 266-5987)

3. All vehicle service window access aisles shall have a minimum outside turning radius of 30 feet.
4. The applicant shall provide a queuing model showing the capacity for six (6) vehicles from the order board and three (3) additional vehicles from the service window. If the six-vehicle requirement cannot be met, a second queuing lane may be required.
5. 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; 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.
6. 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.

7. 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.
8. All parking facility design shall conform to MGO Section 10.08(6).
9. "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

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

10. Provide a parking lot summary with the updated number of parking stalls, accessible stalls, and bicycle parking stalls.
11. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 2 short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5)-foot wide access area. Provide a detail of the proposed bike rack.
12. It appears that foundation landscape plantings on the east side of the building will be displaced due to the location of the drive-thru lane. Any displaced landscaping elements must be replaced on the site and shown on a revised landscape plan. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
13. Submit the north building elevation showing the relocated egress door.
14. Verify whether new rooftop units or exterior louvers are proposed. Per Section 28.142(9)(d), all rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district, as viewed from six (6) feet above ground level.
15. 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.
16. 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)

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

**Water Utility** (Contact Jeff Belshaw, (608) 261-9835)

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

**Parks Division** (Contact Ann Freiwald, (608) 243-2848)

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

**Forestry Section** (Contact Bradley Hofmann, (608) 267-4908)

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

**Metro Transit** (Contact Tim Sobota, (608) 261-4289)

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