



Project Address: 900 John Nolen Drive
Application Type: Conditional Use, Development in Urban Design District 1
Legistar File ID # [31541](#) and [31111](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant and Property Owner: Causeway Office Centre Condominium Unit Owners Association, Inc. and 900 John Nolen Residences LLC; 7609 Elmwood Ave., #201; Middleton, WI 53562

Project Contact: Kirk Keller; Plunkett Raysich Architects LLP; 2310 Crossroads Dr., Suite 2000; Madison, WI 53718

Requested Action: The applicant requests approval of a conditional use for construction of a new six-story mixed-use building in the SE (Suburban Employment) District.

Proposal Summary: The applicant proposes to construct a new 6-story mixed-use building with 20,075 square feet of ground floor commercial space and 80 residential units on upper levels. The proposal includes 79 underground parking stalls and 40 surface parking stalls.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses (MGO Section 28.183(6)), and to the requirements in Urban Design District 1 (MGO Section 33.24(8)).

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

Summary Recommendation: The Planning Division recommends that if the Plan Commission cannot determine that the conditional use standards are met, they should cite the specific standards that are not met and **place on file** the request at 900 John Nolen Drive. If the Plan Commission determines that the conditional use standards can be met, they should **approve** the request, subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The subject property is located on the northeast side of John Nolen Drive between Rimrock Road and the Beltline Highway; Suburban Employment (SE) District; Urban Design District 1; Aldermanic District 14 (Strasser); Madison Metropolitan School District.

Existing Conditions and Land Use: The 1.8-acre parcel is currently vacant, after the 2012 demolition of a fire-damaged two-story office building.

Surrounding Land Use and Zoning:

North/Northwest: Immediately to the north are vacant 2.9-acre and 1.3-acre properties planned for employment uses and within the SE (Suburban Employment) District. Beyond these is a contractor's office, the existing Holiday Inn Express, and the Sheraton Hotel. While not directly linked to it due to the presence of the railroad, the City's Olin-Turville Park is about 500-600 feet north of the subject property, in the Conservancy District.

Northeast: Beyond the vacant property and a 75-foot railroad right-of-way is Lake Monona.

East/Southeast: To the south are two properties in the SE District which rely on a shared easement through the subject property for access. Adjacent to the site is a 16,000 square foot, one-story office building constructed in 1977 and remodeled in 1998. The building is currently listed for sale. The second is a 26,000 square foot medical clinic building on a 3-acre property. The one-story building was originally constructed in 1986, and has a 2002 addition. Beyond these two properties is the right-of-way for the Beltline Highway.

West: Across the 200-foot right-of-way for John Nolen Drive is an 18.7-acre City stormwater facility, with two smaller office properties to the north.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends employment uses for this property. The South Madison Neighborhood Plan (2006) does not have a more specific recommendation.

Zoning Summary: 900 John Nolen Drive is in the SE (Suburban Employment) District.

Dimensional Requirements	Required	Proposed
Lot Area	20,000 sq. ft.	78,457 sq. ft.
Lot Width	65'	463.56'
Front Yard Setback	30'	75'
Side Yard Setback	15' or 20% building height	56' RS / 54' LS
Rear Yard	30'	Adequate
Maximum Lot Coverage	75%	50%
Minimum Height	22', measured to building cornice	adequate
Maximum Height	5 stories / 68', except when approved as a conditional use	6 stories / 68'
Usable Open Space	32,000 sq. ft. total (8,000 sq. ft. at grade)	TBD

Site Design		
Number parking stalls	No minimum	119 (79 below grade, including 8 stacked stalls 40 surface)
Bike parking	Residential - 88 (1 per unit + 1 guest stall per 10 units) Commercial TBD	92 82 interior 10 surface
Landscaping	Yes	Yes
Lighting	Yes	Yes
Accessible stalls	4 total (2 lower level and 2 surface, with 1 van accessible)	2
Loading	1 (10' x 35')	None
Building forms	Yes	Meets building forms
Other Critical Zoning Items: Urban Design District 1, Utility easements, Barrier free (ILHR 69)		

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

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

Public Utilities and Services: This property is served by a range of urban services, including Metro Route 12, with a stop approximately a quarter-mile from the site and weekday peak-only buses to and from the Capitol Square and the West Transfer Point, and Metro Route 13, with hourly service to and from the South Transfer Point and the UW Campus.

Project Description

On a 1.8-acre site left vacant following the removal of a fire-damaged building, the applicant proposes to construct a six-story mixed-use building with just over 108,000 square feet of floor area, and a projected cost of \$16.3 million.

Land Use – As proposed, the building has 18,000 square feet of commercial space on the ground level, with 80 residential units on upper floors. The proposed unit mix includes 12 studios, 64 one-bedroom, and four two-bedroom apartments. Each residential unit has a small private balcony, and common usable open spaces include rooftop terraces and some at-grade usable open space on the north side of the building, atop the underground parking area.

Building Placement and Massing – The triangular building is placed in the middle of the triangular property. The longest building face is about 280' in length, and faces north toward a 4.2-acre undeveloped parcel, with a railroad track and Lake Monona just beyond. The building "front" is approximately 225 feet long, and faces John Nolen Drive to the southwest. The southeast side of the building is just over 200 feet long. The building is 68 feet high from grade, with a "fin" on the southern corner which projects approximately 8-10 feet above this.

Above the first floor, the building is "V-shaped", with a 2nd floor rooftop terrace on the north side for common use. Second through fifth floors have the same general floor plan, and the sixth story consists of a series of five small "mezzanine" areas providing indoor space and rooftop access for the ten of the fifth floor units. Aside from 10 private rooftop patios, much of the rooftop is proposed as common usable open space, with lawn areas, three gathering areas, and a few community garden plots on the western and eastern ends of the building.

Access and Parking – The site is currently accessed from the eastern terminus of the John Nolen Drive frontage road, which is accessed through the Sheraton Hotel entryway from Rimrock Road and John Nolen Drive, nearly a quarter mile to the northwest. Currently, there is a private access drive running along the southwest property line toward the two properties just east of the subject property. As proposed, this private access drive would be removed, and access to the two properties to the east would instead rely on a new easement through the proposed surface parking lot. The removal of the access drive along the length of the subject property greatly reduces the overall impervious area, provides a meaningful area for landscaping on the private property, and allows for the proposal to meet zoning requirements for building placement on the site. (As noted by Zoning staff, the "Option B" provided by the applicant, which includes the existing access drive, does not meet zoning requirements and will not be supported by staff).

Automobile parking is proposed in both an underground parking area with 79 stalls, and 40 stalls within a surface parking area wrapping around the west, southwest and southeast sides of the building. No surface parking is provided on the north side of the building. The underground parking area is accessed on the east side of the building. As with the current condition, the surface parking area on the southeast side of the building is shared by the subject property and the property immediately to the east, as the property line runs down the middle of the drive aisle.

Bicycle parking is provided in the underground parking area, within a first floor bicycle parking area, and within two small outdoor bicycle parking areas near the building entrances. As is noted by Zoning staff, the proposed bicycle parking will need to increase slightly in order to meet zoning requirements. Located adjacent to the Capital City Trail, the proposal includes a small bicycle maintenance area in public right-of-way, which will need to be reviewed and approved by the Traffic Engineering and Engineering Divisions, but is generally supported by Planning staff.

Building Exterior - As shown in submitted plans, the proposed building materials include grey porcelain tile panels for the base and some of the upper portions of the building, a white metal paneling for a majority of the second through fourth and sixth floors, and grey ribbed metal siding for the fifth floor. Glass is a predominant material on the first and sixth floors of the building, and is incorporated in a random window pattern on other levels of the building. Accent materials include vegetated privacy screens between the balconies of adjacent units.

Analysis of Design Requirements for UDD 1

Note: On October 23, the Urban Design Commission granted final approval for the design of this proposal. A copy of the UDC Report will be included at the back of the Plan Commission packet for reference.

The property lies within Urban Design District 1 (UDD 1), which was established in 1988 to ensure that John Nolen Drive and the South Beltline Highway are a “most visually attractive approach to the City of Madison”, and to assure that future development in the district will preserve and enhance the property values in the district...”, among other reasons outlined in the Statement of Purpose (MGO Section 33.24(8)(a)). Below are the requirements for development in UDD 1 (MGO Section 33.24(8)(c)). The Urban Design Commission should also consider how the proposal meets the guidelines for UDD 1, found in the same section of MGO.

Grading - Grading shall insure a positive drainage consistent with established water runoff patterns in the district. All grading shall allow for the installation and maintenance of appropriate landscape materials.

It appears that grading planned for the site prior to construction is minimal, and that drainage from the parking lot and other impervious surfaces will flow into an existing storm inlet in the cul-de-sac at the end of the John Nolen Drive frontage road, on the western edge of the site.

Landscaping – Landscaping shall be used for a functional as well as decorative purpose, including framing desirable views, screening unattractive features and views along the roadway, screening different uses from each other, and complementing the architectural massing of the building.

The landscape plan appears to meet minimum standards required in the zoning code. Arguably the most important area to landscape for screening purposes is the southwestern edge of the property parallel to John Nolen Drive. This 290-foot long linear area is shown with two maples and an elm, five crabapples, two spruce trees, and several viburnum shrubs. The UDC should consider whether this is a sufficient amount of landscaping within this area.

In addition, the landscape plan includes landscaped islands within surface parking areas, minimal foundation plantings on the north side of the building, and grasses, perennials, and community garden spaces on rooftop terraces.

Building Relationships – The structures shall be related to the site to enhance or maintain current contours. New development shall consider activities on adjacent properties with relation to access from abutting streets, parking areas, service areas, building setbacks, heights of structures, and color and materials of adjacent or nearby buildings.

The proposed building would introduce a new architectural style, new building materials, and would be the tallest building in the area. There is no development on the adjacent site to the north, and the two properties to the east are both developed with single-story commercial buildings. These two properties have no street frontage, and rely completely on an easement through the subject property for vehicle access. The property immediately to the east shares the surface parking area on the east side of the proposed building. Staff is not particularly concerned with the architectural or massing differences between the proposed building and the existing buildings to the east.

Lighting – The functions of exterior lighting on private property shall be:

- i. To illuminate building facades, especially those bearing business identification signs.*
- ii. To illuminate pedestrian walks and spaces.*
- iii. To illuminate parking and service areas.*

The choice of equipment, design, quantity, and placement of on-site lighting shall relate to these functions. Lighting shall be adequate but not excessive. The height and number of lighting standards shall be appropriate to the building and its function and to the neighborhood.

The UDC should review the lighting plan to ensure that these requirements are met.

Utility Service – To the extent possible, overhead wiring should be eliminated in the district. Owners should work with relevant utility companies to provide for underground service. When not possible in conjunction with development and construction, certification to the fact that provisions have been made for the placement of service underground, signed by representatives of each company, shall appear on plans submitted to the UDC for review.

On the survey provided by the applicant, it appears that there are no overhead utility lines on the property.

Signs

Signage details will be reviewed at a later date.

Parking and Service Areas; Screening-

- i. The amount of parking and service areas to be provided in conjunction with any use shall conform to the requirements as set forth in MGO Chapter 28 (Zoning Code).*

This requirement is not yet met. Zoning staff has noted that the required 10' by 35' loading zone has not been shown in provided plans, and will need to be shown in final plans for staff review.

The parking requirements are met, in that the parking provided does not exceed the maximum allowed, and a majority of the surface parking has been placed to the side or rear (in this case the sides) of the building. There is no minimum parking requirement.

- ii. Parking and service areas shall be screened from views from John Nolen Drive, the South Beltline Highway, frontage roads, and abutting properties. Screening shall be accomplished with a manner consistent with zoning requirements.*

Staff believes that this requirement can be met, noting the wide swath of landscapable greenspace on the property between the John Nolen Drive and the proposed parking area on the southwest side of the building, which was discussed earlier. However, staff recommends that additional landscaping be added along the northern property line to screen the parking areas from the vacant property to the north.

- iii. Parking areas shall be illuminated using attractive low-profile standards and fixtures. Drawings of these standards and fixtures shall be part of the plans submitted to the UDC for review and approval.*

Staff has not reviewed the lighting details provided, and the UDC should review the submittal to ensure that this requirement is met.

- iv. Off-Street parking and loading areas – All open off-street parking areas containing more than three spaces, and all open off-street loading, shall have effective screening on each side adjoining or fronting on any residential property or any public or private street. If the screening is to be accomplished by using plant material, it shall be planted at a minimum height of 30 inches and grown to a height of 54 inches. If any other material is used to screen these types of areas, it shall be a minimum height of 54 inches.*

It is not clear that this requirement is met in the area between John Nolen Drive and the proposed building.

- v. District boundary lines – Any property located in a commercial or manufacturing district shall have effective screenings along lot lines adjoining any residence district*

Not applicable

- vi. Screening of rubbish and trash storage – Such areas shall be screened to block the view of rubbish and trash containers from any point outside the property on which the storage area is located.*

Staff believes that this requirement is met, as no outdoor trash container area is shown on the site plan provided. As part of the land use review, staff will request more information on trash management plans for both the commercial and residential uses.

Building Design -

- i. Materials and colors shall be durable, low maintenance, and harmonious with each other and with other buildings in the neighborhood.*

Staff does not believe that the architecture necessarily needs to take cues from other buildings nearby. The predominantly white and grey color palette could be appropriate, but the UDC should carefully consider whether the metal, porcelain, and glass materials can meet this requirement.

- ii. Mechanical elements mounted on the roof or ground shall be screened from the view of adjacent properties and roadways.*

It appears that this requirement can be met, but final plans submitted for staff review should include all mechanical elements proposed to be placed on the roof and ground to meet this requirement.

- iii. Contemporary architecture shall be the goal of this district. Buildings shall be designed to complement and enrich this character. Building component massing, materials, textures, and colors shall be consistent with this character.*

Staff believes that this requirement can be met.

- iv. The overall design of the building shall be of high quality, considering the importance of the district as a principal gateway to the City.*

See comments for "i" above. In addition, staff recommends that the UDC carefully review the proposed window pattern and detailing. Windows have no heads or sills, and are randomly placed on the second through fifth stories. Staff recommends revisions to the window patterning and detail to result in more glass, with windows in a linear pattern on the building.

- v. Metal shall not be used as an exterior material for the building, except as an integral part of a design of exceptional merit.*

As the proposed building is almost entirely clad in metal, the UDC would need to find that the architectural design has exceptional merit in order to approve it.

Analysis of Plan Consistency and Conditional Use Standards

Conditional use review is requested for two reasons. First, the proposed mixed-use building has 80 residential units, and any building with residential units requires conditional use review in the Suburban Employment zoning district. Second, the proposed building is 6 stories and 68 feet tall. Any building exceeding either 5 stories or 68 feet requires conditional use approval. In reviewing the proposal, staff has no concerns regarding the impacts of a six-story building in this location, noting that the building height is still within the 68 foot height limit, and that the sixth story consists only of small loft spaces associated with the fifth floor apartments. Staff does have some concerns about the introduction of 80 new residential units in this location, and has focused most of analysis below on that aspect of the proposal.

Land Use and Consistency with Adopted Plans

The Comprehensive Plan (2006) recommends Employment uses for this area, which stretches over a half mile between John Nolen Drive and the railroad corridor. The South Madison Neighborhood Plan does not have a more specific recommendation. In the Comprehensive Plan, Employment uses generally include the following:

- Corporate and business offices.
- Research facilities and laboratories.
- Hospitals, medical clinics and similar uses.
- Complementary uses primarily serving district employees and users, such as business services, conference centers, child care, restaurants, convenience retail, and hotels and motels.

The proposed mixed-use building, specifically the 80-unit residential component, is inconsistent with recommendations in adopted plans. Since the applicant is not seeking a rezoning of the property, consistency with plans is not required by state statute. However, Section 28.183(6)(a) requires that the Plan Commission duly consider recommendations in adopted plans in their review of the proposal against the conditional use standards.

In the letter of intent, the applicant makes the case that the subject site is “adjacent to established residential uses and a wide variety of commercial and social activities”. The applicant has suggested that this location would be ideal for commuting couples who work in two different cities in the Madison and Milwaukee areas, since it is so close to the Beltline Highway. Meanwhile, the applicant sees the proximity to the Capital City Trail, Olin-Turville Park, and Downtown Madison as strong amenities for future residents. Finally, the applicant has provided high-quality usable open space on the site, including a generous rooftop balcony which will have views of the southern part of Lake Monona, and possibly of the Capitol Building, so long as taller buildings are not developed on the adjacent property immediately to the north.

From this description, the site sounds like an appropriate location for the proposed building. However, staff has expressed concerns to the applicant about the introduction of a residential apartment building in a relatively isolated setting amidst employment uses, with relatively poor access, and so close to the Beltline Highway. The site is located at the end of a dead-end street. For automobile access, one must enter the Sheraton Hotel site from the intersection of John Nolen drive and Rimrock Road, and head east just beyond the terminus of the John Nolen Drive frontage road. As has been mentioned, two additional properties to the east rely on a shared access easement through the subject property.

The nearest area developed or planned for residential use is the low-density residential area on Waunona Way, which lies about a quarter mile to the east, on the other side of two additional employment properties and the railroad track. This area of lakefront single-family homes is accessible from the subject property via the Capital City Trail, but is not otherwise connected. The nearest retail or service uses typically complementing residential uses are relatively far away. There is a bar/restaurant over a half-mile to the north, but the wider range of commercial and service uses are about two miles away by bicycle or automobile, either along South Park Street or Downtown. In the long term, opportunities for additional complementary commercial and residential uses may arise, if portions of the Alliant Energy Center site were to redevelop.

Aside from the general concerns about new residential uses at this location, staff points out that only four of the 80 units proposed are two-bedroom units. This unit mix could significantly limit the types of households that would choose to live in this building, and may make it difficult to meet the needs of 2-person households that choose the site for its easy access to commuting routes. Staff recommends that if the proposal is approved, the applicant consider incorporating additional two-bedroom units in the building.

Conditional Use Standards

In this case, staff believes that most of the standards for approval of conditional uses can be met, but has some uncertainty about whether the proposal adequately meets standards 4, and 9a. The conditional use standards are included below with a brief staff analysis of each:

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 can be 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 can be met as far as basic municipal services are concerned (fire safety, utilities, etc.) However, it is important to note that the relatively isolated location of this property at the southern terminus of the frontage road limits the ability for transit service improvements to this property. The nearest bus stops are just over a quarter mile away at the intersection of John Nolen Drive and Rimrock Road. Metro Route 12 provides peak service to and from downtown and the West Transfer Point, and Route 13 provides hourly service to the South Transfer Point and UW-Campus.

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. The nearby employment and hospitality uses should not be negatively impacted by the proposed mixed-use development at this location.

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.*

The proposed building and use can easily address this standard. However, staff is concerned that this standard may be difficult to meet with regard to future access to the two properties immediately to the south of the subject property. In order to meet zoning requirements related to parking placement on this property, the applicant has proposed to remove and relocate the shared access driveway leading to the two properties to the south. As shown in "Option A" the new location of the access driveway will require automobiles to drive through the subject property's parking area in order to access these two properties. Assuming the two other property owners agree to it, this arrangement could be fine, but it could indirectly limit the redevelopment potential on properties to the south, on which more intense employment uses would otherwise be allowed and encouraged within the SE Zoning District.

On the other hand, the site plan shown in "Option B", which leaves in place the access driveway to these properties, does not meet zoning requirements, because it includes too much surface parking /drive aisle depth between the proposed building and the street. If other parties do not agree on the relocated driveway and shared access easement, the applicant will need to remove or relocate most of the surface parking area proposed on the south side of the building in order to meet zoning requirements. Depending on the significance of related impacts to the rest of the site plan, this type of revision may require additional review by the Plan Commission.

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 the access road issue discussed above is resolved. While the site is isolated in some ways, it is indeed close to vehicular, pedestrian, bicycle, and public transit services. Staff appreciates the applicant's offer to construct a bicycle support station in public

right-of-way along the Capital City Trail, and will defer to future discussions between the applicant and City Engineering staff to determine details.

Importantly, the applicant will need to comply with Engineering conditions regarding the preservation of adequate space for an existing Madison Metropolitan Sewerage District force main (see Conditions 22, 23, 29, 30, and 31).

Finally, as a way to help ensure that this standard is addressed, staff is requesting a management plan as a condition of approval, which will outline plans and policies for parking on the site, use and maintenance of the rooftop open space amenities, and trash and snow management.

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 is met.

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 with the site plan as shown in "Option A", but notes that "Option B" does not meet zoning requirements for the Suburban Employment district (see Zoning Comment No. 1). In any case, a loading zone and some additional bicycle parking will need to be incorporated to meet zoning regulations. These changes will be required for staff sign-off on final plans.

9. *When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission:*
 - a. *Shall bear in mind the statement of purpose for the zoning district, and*
 - b. *May require the applicant to submit plans to the Urban Design Commission for comment and recommendation*

Staff believes that "b" above is met, as the proposed design has been approved by the Urban Design Commission in their review, based on its location in Urban Design District 1.

However, with regard to "a" above, it is important for the Plan Commission to recognize that the proposal does not further the statement of purpose for the SE District, which reads as follows:

MGO 28.085(1)

The SE District is established to encourage a broad range of employment activities, including limited industrial uses conducted within enclosed buildings, while also encouraging shared access, improved landscaping and site design, and bicycle and pedestrian facilities. The district is also intended to:

- a) *Encourage the integration of complementary employment and related uses in an attractive and pedestrian-oriented environment*
- b) *Discourage proliferation of highway-oriented commercial uses that reduce the land area available for development or expansion of employment uses.*
- 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.*

Residential uses (both alone and within mixed-use buildings) require conditional use approval in the SE District. In many cases, residential uses may be "related", and "complementary" to surrounding employment uses. In this particular case, the proposed 80 residential units would be the first in this

area, and dominate the square footage of the building. As has been mentioned, the proposal is not consistent with the recommendations in adopted plans.

12. *When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows, and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.*

Staff believes that this standard is met for the small portion of the building that exceeds the 5-story height limit. The building is under the 68-foot height limit, and its height will have little or no impact on surrounding properties.

[Standards 8, 10, 11, and 13-15 do not apply to this request]

Conclusion

Staff recognizes that this is a unique site, and that the introduction of residential uses here may present a difficult decision for the Plan Commission. On some levels, the site could be considered to be a good location for new residential apartment units. Since there are employment uses on the ground floor and on nearby properties, the proposal should provide some opportunities to live and work in the same place. It is adjacent to the Capital City Trail, just over 2 miles from Downtown Madison, will offer views of Lake Monona, and is very close to the Beltline Highway for automobile commuters.

However, the introduction of residential uses is also inconsistent with adopted plans, which recommend employment uses in this area. It would be the first residential use to be introduced in an area with no easily accessible retail and service uses and few residential amenities. This may be the case for the foreseeable future, unless the area evolves over time into a much more urban, 24-hour mixed-use area, which is uncertain at this time.

There are a few opportunities for redevelopment on nearby properties, and a much larger opportunity for redevelopment of portions of the Alliant Energy Center site. The Plan Commission may find that the introduction of residential uses at this location is pioneering, and that the proposed building will fit into a broader evolving context to include sufficient retail, service, and additional residential uses in the future. This is not envisioned in current adopted plans, and staff believes that the introduction of residential uses at this location should be considered carefully. If the Plan Commission believes that the conditional use standards can be met, the proposal should be approved.

Recommendation

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

The Planning Division recommends that if the Plan Commission cannot determine that the conditional use standards are met, they should cite the specific standards that are not met and **place on file** the request at 900 John Nolen Drive. If the Plan Commission determines that the conditional use standards can be met, they should **approve** the request, 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

Zoning Administrator (Contact Pat Anderson, 266-5978)

1. Submitted site plan option B, drawing number C102, does not meet requirements of section 28.085(4)(b).
2. 32,000 sq. ft. of usable open space (UOS) is required for this development. A maximum of 24,000 sq. ft. of balcony or rooftop space may be counted toward this requirement, with the remaining 8,000 sq. ft. being at grade. Submitted plans do not clearly identify the required and qualifying UOS. Identify qualifying UOS on final plans.
3. Pursuant to section 28.137(2)(a), a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer, and Director of Planning and Community and Economic Development recorded in the office of the Dane County Register of Deeds.
4. Provide a minimum of 88 bike parking stalls for the residential component of the project. Bike parking shall be located in a safe and convenient location on an impervious surface subject to section 28.141(11) to be shown on the final plan. Bike parking for the commercial/retail component of the project shall comply with the requirements in sec. 28.141(4)(g) and 28.141(11). Provide a detail of the proposed bike rack.
5. Pursuant to Sec. 28.142(3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet must be prepared by a registered landscape architect.
6. Parking and loading shall comply with MGO Sec. 28.141(13): Provide one 10' x 35' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
7. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and MGO Chapter 33, Urban Design District. Signage permits are issued by the Zoning section of the Department of Planning and Community and Economic Development.
8. Parking requirements for persons with disabilities must comply with Sec. 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls.

Traffic Engineering (Contact Eric Halvorson, 266-6527)

9. When the applicant submits plans for approval, the applicant shall show the following on one contiguous plan: existing items in the terrace (e.g., signs and street light poles), type of surfaces, percent of slope, existing and proposed property lines, addresses, all easements, all pavement markings, building placement, adjacent driveway approaches to lots on either side and across the street, signage, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, parking stall dimensions including the two (2) feet overhang on a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.

10. The Developer shall post a deposit and reimburse the City for all costs associated with any modification to traffic signals, street lighting, signing and pavement marking, and conduit/handholes, including labor, engineering and materials for both temporary and permanent installations.
11. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
12. All parking facility designs shall conform to MGO standards as set in section 10.08(6).

Parks Division (Contact Kay Rutledge, 266-4714)

13. The developer shall pay approximately \$188,272.00 for park dedication and development fees for the new 80 MF unit development (fees are subject to an annual increase – see 2013 calculation below).

New Development:

Fees in lieu of dedication = (80 MF @ \$1,708) =	\$136,640.00
Park development fees = (80 MF @ \$645.40) =	<u>\$51,632.00</u>
Subtotal =	\$188,272.00

14. The developer must select a method for payment of park fees before signoff on the conditional use.
15. This development is within the Olin-Turville park impact fee district (SI28). Please reference ID# 13154 when contacting Parks about this project.
16. 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.

Water Utility (Contact Dennis Cawley, 266-4651)

17. The property is not in a wellhead protection district. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

Fire Department (Contact Bill Sullivan, 261-9658)

18. A sprinkler system in accordance with NFPA 13, 2013 edition, is required.

19. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

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

20. This property is currently subject to Causeway Center Office Condominium. A Declaration Amendment and Plat Addendum or a Condominium Removal Instrument and a new Condominium Declaration and Plat will be required. All condominium documents must be submitted for approval prior to recording to the Department of Planning.

21. If the proposed site ultimately is not to be subject to a Condominium, a Certified Survey Map will be required as the proposed new building would then cross an underlying platted lot line. Current State building code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey

Map (CSM). The owner shall have a CSM prepared for submittal to City Planning for City approval and recording with the Dane County Register of Deeds.

22. The Common Access Easements (per CSM 2358 and Doc. No. 1514548) along the southwesterly side of the site shall be revised/amended with the proposed layout. The location of the public sanitary sewer easement per CSM No. 2358 shall remain unchanged. If the Option B site plan is exercised, the Access Easement will remain in its current location.
23. The 10 foot wide Madison Metropolitan Sewerage District (MMSD) is shown to not encompass the existing MMSD force main along the north side of this site. Coordinate with MMSD to create a new Easement Agreement for the 25 foot wide easement as shown and noted on the Site and Utility Plans.
24. The Joint Driveway Agreement (Doc. No. 1822070) along the southeasterly lot line, in common with 1020 John Nolen Drive, shall be restated/amended to include the necessary areas required for the fire lane as shown on Sheet C105.
25. A private storm water drainage and storm sewer agreement shall be recorded and a copy provided for the common drainage and storm sewer shared with 1020 John Nolen Drive.
26. All site plans shall include all information required for Parking Lot Plan approval. This also includes labeling and location of all easements existing and proposed legal description of the property and dimensions.
27. Retail addresses and apartment addresses will be determined when detailed floor plans are provided.
28. If the access road is altered, the current access agreement needs to be modified and recorded.
29. Plans show a "proposed 25-foot wide MMSD Sanitary Interceptor Easement". The word "interceptor" should be deleted on all sheets and replaced with "force main".
30. The Applicant shall contact Todd Gebert at MMSD at 222-1201x235 to discuss how the proposed easement will be conveyed. Easement conveyance needs to occur prior to sign off of the plans.
31. No excavation will be allowed within the proposed easement area. On sheet C101 there is a building outline shown that appears to be the outline of the basement. With a sizeable structure, we are concerned with how far the excavation/footing will extend into the easement and potentially disturb the 42-inch force main. Provide details to MMSD on the foundation/footing system to be used in this area.
32. Interceptor connection charges have been paid, however treatment plant charges are due in the amount of \$908.45.
33. Sheet L1 shows trees and landscaping proposed over the existing sanitary sewer. Revise plans to eliminate the landscaping plantings.
34. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
35. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
36. Submit a PDF of all floor plans to zenchenko@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.
37. 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.

38. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:
- a) Control 80% TSS (5 micron particle) off of new paved surfaces.
 - 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.
39. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement (POLICY).
40. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain 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) All Underlying Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words “unplatted”
 - h) Lot/Plat dimensions
 - i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file (POLICY and MGO 37.09(2) & 37.05(4)).

41. 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 Management Facilities (including if applicable planting plans)
42. 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 MGO 37.09(2)).

43. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (MGO 37.05(7)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
44. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14)).
45. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff (MGO 16.23(9)(d)(4)).
46. 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).

Planning Division (Contact Heather Stouder, 266-5974)

47. Final plans submitted for staff review and approval shall include detailed floor plans for the proposed residential units, and a unit count not to exceed 80. The applicant is encouraged to include a greater proportion of two-bedroom units in the building, which would result in fewer units overall.
48. Final plans submitted for staff review and approval shall include a management plan for the property to include the following items:
 - a) Residential parking policies (reserved spaces, access to underground and surface parking areas)
 - b) Policies for access to the rooftop open space areas (who has access and when)
 - c) Maintenance plan for proposed green roof areas and community garden spaces
 - d) Trash and snow removal plans