



PREPARED FOR THE PLAN COMMISSION

Project Address: 434 Gammon Place
Application Type: Conditional Use
Legistar File ID # [38017](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: Jeff Kraemer, Kraemer Development, LLC/ 434 Gammon Investors, LLC; 7601 University Avenue, Suite 202; Middleton.

Agent: Gary Brink, Gary Brink & Associates, Inc.; 7780 Elmwood Avenue, Suite 200; Middleton.

Requested Actions: Approval of a conditional use to allow construction of a vehicle access sales and service window for an existing multi-tenant commercial building at 434 Gammon Place.

Proposal Summary: The applicant proposes to renovate tenant spaces and the exterior of an existing one-story multi-tenant commercial building, which will include the addition of a vehicle access sales and service window along the southerly façade of the building. The applicant wishes to commence construction of the project in July 2015, with completion scheduled for October 2015.

Applicable Regulations & Standards: Table 28D-2 in Section 28.061 of the Zoning Code identifies vehicle access sales and service windows as a conditional (accessory) use subject to supplemental regulations in Section 28.151 of the Zoning Code. Section 28.183 of the Zoning Code 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 to allow construction of a vehicle access sales and service window for an existing multi-tenant commercial building at 434 Gammon Place subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: An approximately 1.45-acre parcel located at the northeastern corner of Gammon Place and S. Gammon Road; Aldermanic District 19 (Clear); Madison Metropolitan School District.

Existing Conditions and Land Use: The existing one-story building contains approximately 10,750 square feet of floor area divided into 4 tenant spaces, including a optician, coffeehouse, financial advisor and fitness supplies business. The site is served by approximately 40 stalls located east of the building. The property is zoned CC (Commercial Center District).

Surrounding Land Uses and Zoning:

North: Multi-tenant commercial building (Wells-Fargo, etc.), US Bank office building, CC (Commercial Center District);

South: Denny’s restaurant, one-story office building, zoned CC;

West: West Towne Mall and peripheral pad sites, including multi-tenant commercial building (Panthero’s, AT&T, etc.), Longhorn Steakhouse and Chick-Fil-A, all zoned CC;

East: City-owned regional stormwater management facility and open space, zoned CN (Conservancy District).

Adopted Land Use Plans: The Comprehensive Plan recommends that the subject site be developed with General Commercial uses.

Zoning Summary: The site is zoned CC (Commercial Center District). Comments from the Zoning Administrator, including a comparison of the project against the requirements of the zoning district, will be provided separately once available.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor. The regional stormwater detention facility to the east is located in a mapped corridor and is identified as public land with shoreline (see CARPC Map C9).

Public Utilities and Services: The site is served by a full range of urban services, including daily Metro Transit service along S. Gammon Road and Mineral Point Road adjacent to or near the project site.

Project Description

The applicant is seeking conditional use approval to allow the construction of a vehicle access sales and service window as part of the renovation of the southernmost of four spaces in an existing multi-tenant commercial building located at the northeastern corner of S. Gammon Road and Gammon Place. The one-story building was constructed in 2000 and contains approximately 10,750 square feet of space in 4 tenant spaces under its current configuration.

The proposed vehicle access sales and service window will serve an existing 2,000 square-foot Starbucks, which the applicant indicates will be completely renovated to accommodate the drive-thru. By definition, a vehicle access sales and service window includes the service window(s), ordering position(s), and the lane providing ingress and egress. In this case, the service window will be located on the southern façade, with a menu board proposed at the southwestern corner of the building. The access lane will be 13 feet wide and enter at the northeastern corner of the building to navigate counterclockwise around the building, with an exit into the parking lot at the southeastern corner near one of the site’s two driveways from Gammon Place. The site currently has no access to S. Gammon Road and no modifications to the access to the site are proposed. Parking for approximately 40 vehicles occupies the remainder of the 1.45-acre property.

As part of the introduction of the vehicle access sales and service window, the applicant indicates that the exterior of the building will be renovated. The existing sloped corner windows along the S. Gammon Road façade will be replaced with a larger rectangular storefront window system, more durable exterior materials will be applied, and the roofline will be modulated. A relocated entry from the parking lot will be provided to the coffeehouse, with a patio shown at the southeastern corner of the building. The renovated exterior will

accentuate existing entry doors located along the western façade, with two raised sidewalks proposed across the drive-thru lane to connect the building to the sidewalk along S. Gammon Road.

Analysis and Conclusion

The proposed vehicle access sales and service window requires conditional use approval. The Planning Division believes that the conditional use standards can be met with the proposed drive-thru service despite its unique placement between the building and S. Gammon Road. While a similar layout would likely not be supported for a new building of the same length and location as the existing building, staff feels that the addition of the vehicle access sales and service window in combination with the proposed exterior renovations will allow the commercial building to be more economically viable. The exterior renovation will also allow for the building to have a greater orientation to S. Gammon Road than the existing building, which is currently oriented primarily to the parking lot along its eastern wall, and should also result in a fresher and more contemporary appearance for the building, which the applicant and staff agree appears more dated than its construction in 2000 might suggest.

To better meet the conditional use standards – particularly standard 5, however, staff recommends that a sidewalk be extended along the western wall of the building to allow all of the entry doors along that facade to connect to the sidewalk connections proposed across the drive-thru lane to S. Gammon Road, which will enhance the building’s evolving orientation to the primary pedestrian street.

As part of the approval of the project, staff also recommends that masonry be extended across the base of the entire renovated exterior. The elevations submitted show sections where EIFS will touch grade. Staff does not consider EIFS to be an appropriate “base” material due to concerns about the durability of that product resulting from ground moisture and damage caused by contact from wheels or feet. However, because the project is not a new building or addition greater than 50% of floor area, the building renovation is not otherwise subject to the design standards for the Mixed-Use and Commercial zoning districts in Section 28.060 of the Zoning Code, including the requirements for building materials, door and/ or window openings, or entrance orientation.

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 to allow construction of a vehicle access sales and service window for an existing multi-tenant commercial building at 434 Gammon Place subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

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

1. That prior to issuance of building permits for the project, the final plans be revised for approval by the Planning Division to create a minimum 5-foot wide sidewalk along the western wall between the corner window elements to provide the opportunity for pedestrian circulation to the storefront entry doors from the two sidewalk connections to S. Gammon Road.
2. The plans shall be revised prior to the issuance of building permits to include: a fully dimensioned site plan that identifies the exterior dimensions of the property; clearly identifies the setbacks of the building from all property lines; provides a proposed parking count for automobiles and bikes; label the third-party ATM and

access lane. The landscaping plan shall differentiate between existing landscaping materials to remain and new materials to be planted, with a planting schedule provided that details the species and size of materials to be installed.

3. That no sections of EIFS extend to grade; instead a masonry base shall be provided as approved by the Planning Division prior to final plan approval and the issuance of building permits.
4. That signs be installed in the drive lane for the vehicle access sales and service window that encourages autos to not wait across the pedestrian walkways connecting the building to S. Gammon Road. A speed limit shall also be posted in the drive lane. A detail of the signs and their proposed placement and the proposed speed limit shall be approved by the Planning Division in consultation with the Traffic Engineering Division.

The following conditions have been submitted by reviewing agencies:

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

5. This project falls in the Rock River TMDL Zone and is subject to increased erosion control enforcement as authorized by Resolution 14-00043 passed by the Common Council on January 21, 2014. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department Natural Resources (WDNR).
6. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
7. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of Madison General Ordinances 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.
8. For commercial sites less than 1 acre in disturbance, the City of Madison is an approved agent of the Department of Commerce and Wisconsin Department of Natural Resources (WDNR). As this project is on a site with disturbance area less than 1 acre and contains a commercial building, the City 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.
9. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (5 micron particle) off of newly developed areas compared to no controls and provide oil and grease control from the first 1/2" of runoff from parking areas.
10. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
11. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including SLAMM DAT files, RECARGA files, TR-55/HYDROCAD/Etc., and 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).

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

12. Exit of vehicle access sales aisle geometrics makes turning right to egress the site problematic. The applicant shall submit for review a modified plan with turning movement templates demonstrating vehicles using the service window do not negatively impact the southern entrance onto Gammon Place.

13. The applicant shall submit one contiguous plan for approval. The plan drawing 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.

14. 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.

15. 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.

16. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Matt Tucker, 266-4569)

→ **Comments from the Zoning Administrator will be provided separately once available.**

Fire Department (Contact Bill Sullivan, 261-9658)

17. Any building additions will require compliance with fire access lanes in accordance with MGO Ch. 34, IFC Chapter 5, and IFC Appendix D.

18. Building additions may also exceed a threshold requiring fire protection systems in accordance with IBC Chapter 9.

Water Utility (Contact Dennis Cawley, 261-9243)

19. This property is located in wellhead protection district WP-16. This proposed use is allowed in this district. Any proposed changes in use shall be approved by the Water Utility General Manager or his designee.

20. Note: All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.