



Report to the Plan Commission

March 22, 2010

Legistar I.D. #17823
3604-3704 Agriculture Drive
Preliminary & Final Plat

Report Prepared By:
Timothy M. Parks, Planner
Planning Division

Requested Actions: Approval of a preliminary plat and a final plat creating 16 industrial lots at 3604-3704 Agriculture Drive.

Applicable Regulations & Standards: The subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward the preliminary plat and final plat of Genesis to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Applicant & Property Owner: Alexander & Helen Li; 411 Orchard Drive; Madison.

Surveyor: Ray Polkinghorn, Short Elliot Hendrickson (SEH), Inc.; 6808 Odana Road; Madison.

Proposal: The property will be subdivided into 16 lots for future commercial and industrial development as permitted in the existing zoning M1 (Limited Manufacturing District).

Parcel Location: Approximately 34.7 acres located along the west side of Agriculture Drive south of the Beltline Highway (US Highway 12 & 18); Aldermanic District 16; Urban Design District 1; Madison Metropolitan School District. Portions of the site are also located in TID #39 (Stoughton Road).

Existing Conditions: Undeveloped lands, zoned M1 (Limited Manufacturing District)

Surrounding Land Use and Zoning:

North: Beltline Highway (US 12 & 18) and undeveloped Wisconsin Department of Transportation property.

South: Franklin Fueling Systems, Dane County Humane Society and undeveloped lands, zoned M1 (Limited Manufacturing District);

East: Great Lakes Packaging, Westside Cabinetry & Millwork, zoned M1;

West: Sleep Inn Hotel, multi-tenant office building and undeveloped commercial and industrial lots in the Tradewinds Business Centre subdivision, zoned M1;

Adopted Land Use Plan: The Marsh Road Neighborhood Development Plan recommends the site and surrounding area for industrial uses.

Environmental Corridor Status: Portions of the property are located within a mapped environmental corridor due to the presence of wetlands and floodplain on the subject site. The Wisconsin Department

of Transportation property located between this site and the Beltline Highway right of way contains a perennial stream that parallels the highway for which a floodplain and mapped wetlands exist.

Public Utilities and Services: The property will be served by a full range of urban services.

Zoning Summary: Existing M1 (Limited Manufacturing District) zoning.

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	All proposed lots will exceed
Lot Width	50'	All proposed lots will exceed
Front Yard	N/A	---
Side Yards	N/A	---
Rear Yard	10' (1-story); 30' (2 or more str)	---
Floor Area Ratio	2.0 maximum	To be det. w/ individual bldgs.
Building Height	N/A	---
No. of Auto & Bike Parking Stalls	To be det. w/ individual bldgs.	---
Loading	To be det. w/ individual bldgs.	---
Other Critical Zoning Items		
Yes:	Urban Design, Floodplain, Wetlands, Utility Easements	
No:	Wellhead Protection, Adjacent to Park, Barrier Free	
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

Previous Approval

On July 18, 2006, the Common Council approved a preliminary plat for the "Genesis" subdivision, creating lots 16 industrial lots on the subject site. The 2006 preliminary plat approval expired due to a final plat not being submitted within the time required by State statute and City subdivision regulations. Therefore, a new preliminary plat is required to be approved as part of the consideration of the proposed final plat.

Project Review

The applicant is requesting preliminary plat and final plat approval to create 16 industrial lots in M1 (Limited Manufacturing District) zoning on 34.7 acres of undeveloped land located south of the Beltline Highway (US Highway 12 & 18) and along the westerly side of Agriculture Drive. The site is located in a developing area of predominantly transportation-related, heavy commercial and light industrial uses centered on the Beltline between S. Stoughton Road on the west and Interstate 39-90 on the east. The property is adjoined on the west by the Tradewinds Business Centre industrial park and by Franklin Fueling Systems to the south along Agriculture Drive. Other lands south of the site include undeveloped tracts, the Dane County Humane Society and a variety of M1 uses along Voges Road. Agriculture Drive originates north of the Beltline in the World Dairy Center business park and extends south across the Beltline to connect to Marsh Road, providing a continuous north-south connector between Femrite Drive and Siggelkow Road.

The site of the proposed subdivision is characterized by a gentle slope that generally falls from the perimeter of the site towards a low-lying area near the center of the site and adjacent to Agriculture Drive. Most of the southern edge of the property and a portion of the eastern edge are characterized by a drainageway. Property along the northern property line falls from the outside of the banks of a perennial stream that parallels the Beltline and is located on Wisconsin Department of Transportation (WisDOT) property between the subject site and highway right of way. Tree coverage on the site varies, with dense mature tree coverage of mostly deciduous trees on the western third of the site and a portion of the southern property line north of the berm and a line of mostly shrub growth along the eastern edge. Aerial photography suggests that most of the interior of the site is devoid of significant tree cover.

Environmental corridor mapping shows a floodplain and adjacent wetlands extending along the northerly edge of the site corresponding to low-lying lands near Agriculture Drive (see attached map). These conditions are related to the mapped perennial stream on the WisDOT property to the north, and related to existing conditions prior to relocation of that stream by WisDOT. The lands within the proposed subdivision were previously state lands that were purchased for use as a construction staging area and for disposal of dredged materials from Beltline reconstruction work further west of the site over the Yahara River. The floodplain is not delineated, and staff recommends that the final plat be revised to identify the final location of those conditions. The applicant has been working with the City Engineering Division and the Wisconsin Department of Natural Resources (WDNR) on a plan to remediate portions of the floodplain as part of this development. A Letter of Map Revision issued by the WDNR will be required as part of the submittal of the final plat of this project signifying that the remedial measures have been approved.

Primary access to the proposed subdivision will be from the extension of Tradewinds Parkway east from its current terminus at the eastern edge of the adjacent industrial park to connect to Agriculture Drive. A short dead-end street, Jadon Drive, will extend approximately 200 feet south from Tradewinds Parkway to facilitate further development south of the site. The proposed centerline of the road will straddle the eastern edge of the Dane County Humane Society property and the western edge of the Franklin Fueling Systems tract located to its east. Lots 6-15 will generally have 250 feet of frontage along Tradewinds Parkway and between 375 and 400 feet of depth, while Lots 1-5 and Lot 16 on the eastern portion of the site will have more street frontage but less lot depth. Lots 1-4 and Lots 15-16 will have full or partial frontage along Agriculture Drive, though the plat proposes an access restriction for Lots 15 and 16 along Agriculture Drive, which staff supports due to possible sight-distance issues given the grade of the road as it approaches the Beltline overpass and the curve in the road along that section.

Analysis & Conclusion

The subject site is located within the limits of the Marsh Road Neighborhood Development Plan, which recommends the subject site for industrial uses. The proposed plat largely conforms to the street layout contained in the plan, though in a slightly altered arrangement. Whereas the original neighborhood plan called for Tradewinds Parkway to curve to the south to connect to the Dane County Humane Society parcel with a side street to provide a connection to Agriculture Drive, the proposed plat will connect Tradewinds directly to Agriculture with a secondary street, Jadon Drive, to connect to the south. While staff supports the dedication of Jadon Drive to facilitate future development to the south and increased connectivity with the Marsh Road neighborhood, staff recommends that the connection be moved one or two lots to the west to allow the street extension to avoid an area of wetlands and an environmental

corridor located directly to the south of Jadon Drive, which may prevent the street extension from occurring in the future.

Staff believes that the proposed Genesis industrial subdivision can meet the standards for approval for a subdivision plat and will continue to work with the applicant to deal with any issues stemming from the wetland and floodplain conditions present on the site.

Finally, the site is located in Urban Design District 1, which extends along both sides of the Beltline between approximately S. Stoughton Road (US Highway 51) on the west and Interstate 39-90 on the east. As a result, development of the lots within the proposed subdivision will require Urban Design Commission approval prior to the issuance of building permits.

Staff Recommendations, Conditions of Approval & General Ordinance Requirements

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission forward the preliminary and final plats of the Genesis subdivision to the Common Council with recommendations of **approval** subject to input at the public hearing and the following conditions:

1. That the final plat be revised to show the location of all floodplain and wetlands on the subject property, with a 75-foot setback identified adjacently to any wetland boundary. In addition, a 75-foot setback shall be provided adjacent to the perennial stream.
2. That a Letter of Map Revision be issued by the Wisconsin Department of Natural Resources signifying that any remedial measures for this property have been approved prior to staff approval of the final plat for recording.
3. That a note be included on the final plat acknowledging that the site is located in Urban Design District 1, which will require Urban Design Commission approval prior to the issuance of building permits for individual lots.

The following conditions of approval have been submitted by reviewing agencies:

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

4. The LIDAR contour note that appears on both the preliminary and final plat is applicable only to the preliminary plat. The note shall be removed from the final plat as LIDAR contours are not shown thereon.
5. "Trade Winds" shall be revised to "Tradewinds" Parkway.
6. Clarify whether the sidewalk easement shown along Agriculture Drive per Right of Way Project 1200-00-22 exists by separate recorded easement document or is intended to be created by this Subdivision Plat.

7. Clarify all existing easements of record by citing their appropriate recorded document number that created the same. All other easements without associated document number references are then clearly created by this Subdivision Plat.
8. Add the existing 20-foot wide Permanent Limited Easement for Grading Slopes and Maintenance adjacent to Agriculture Drive per existing Document No. 3949956.
9. Proposed Jadon Drive appears to intend to align with existing Tormey Lane to the south of the Humane Society lands, per Document No. 3113655. Coordinate the suggested name of Tormey Lane for this segment with the Planning, Engineering and Traffic Engineering divisions.
10. Jadon Drive shall be shifted to the west to avoid potential wetland conflicts that may arise if the street was extended in the future.
11. It is unclear the intent of the 20-foot wide "Area Reserved for Future Sidewalk" as shown along existing Agriculture Drive. This area was retained by WisDOT, in deed transfer from WisDOT to Alexander H. & Helen Li, as a Permanent Limited Easement for Grading Slopes and Maintenance per Document No. 3949956. City of Madison construction plans show that the public sidewalk was to be constructed entirely within the lands retained by WisDOT for public right-of-way purposes for Agriculture Drive. Field survey the existing location of Agriculture Drive street improvements as they relate to the existing public right of way and proposed plat boundary.
12. The applicant shall widen Agriculture Drive to 48 feet in the vicinity of the proposed intersection with Tradewinds Parkway and relocate the sidewalk on both sides of Agriculture Drive to accommodate the widened pavement. All pavement patching on Agriculture Drive shall be in accordance with the City Engineer's policy on pavement patching.

Other options to reconstructing Agriculture Drive may be available to the applicant such as relocating the intersection to the east provided that adequate intersection sight distance is achievable. The applicant shall not be required to widen Agriculture Drive as stated above if an alternative acceptable to the City Engineer and City Traffic Engineer is found.
13. The developer shall note that if the City is requested to and decides to construct improvements for this plat, temporary easements outside the proposed right of way shall be required.
14. Jadon Drive shall require filling of wetland which shall require a permit from the Wisconsin Department of Natural Resources and US Army Corps of Engineers. The applicant shall continue to work with City staff to coordinate the wetland issues.
15. Existing flood plain boundaries shall be shown on the plat or documentation shall be provided showing that FEMA/WDNR has approved a submittal to remove this area from the floodplain.
16. The developer shall construct Jadon Drive, including the culvert crossing required for the existing ditch. The developer shall provide temporary construction/ grading easements for the installation of the culvert and shall coordinate the dimensions and location with the City Engineer.

17. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City

Engineer will not sign off on this plat without the agreement executed by the developer. (MGO 16.23(9)c)

18. Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7)(a)(13))
19. The developer shall construct Madison standard street improvements for all streets within the plat.
20. The developer shall make improvements to Agriculture Drive to facilitate ingress and egress to the plat.
21. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Pre-construction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the 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 7.5-tons per acre per year.
22. Prior to the issuance of building permits, the developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage. The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27. No building permits shall be issued prior to City Engineering's approval of this plan.

The following note shall accompany the master storm water drainage plan:

"For purposes of this plan, it is assumed that grading shall be a straight line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows."

23. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2 & 10-year storm events; control 80% TSS (5 micron particle), and; provide infiltration in accordance with NR-151. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
24. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). As this site is greater than 1 acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the WDNR, prior to

beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Please contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.

25. A minimum of two working days prior to requesting City Engineering Division signoff on the plat, the applicant shall contact Janet Dailey to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
26. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division signoff, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
27. This subdivision contains or is adjacent to facilities of MMSD. Prior to approval, the applicant shall provide evidence that MMSD has reviewed and approved the proposed land division.
28. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.
29. The applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

30. In accordance with Section s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the plat. Identify the owner and/or benefiting interest of all easements.

Traffic Engineering Division (Contact John Leach, 267-8755)

31. The developer shall put the following note on the face of the plat: "All the lots within this subdivision are subject to impact fees that are due and payable at the issuance of building permit(s)." Note: The final sign-off may be delayed until the transportation impact fees are negotiated or approved by the Common Council.

32. The applicant will need to modify the plat to relocate Jadon Drive west in the area of Lots 6 and 7. This street relocation is needed to accommodate a street connection to the south away from wetlands. The applicant, Traffic Engineering, [Planning,] and City Engineering staff will need to work together to accommodate the plat street connection westerly.

33. The applicant shall execute and return declaration of conditions and covenants for streetlights and traffic signals prior to sign off.

34. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Zoning Administrator (Contact Pat Anderson, 266-5978)

35. Show any wetland and floodplain areas on the plat. Provide a 75-foot protective buffer from the wetlands pursuant to Madison General ordinances 37.09(3)(h) and the Wisconsin Administrative Code (NR 103.04).

Parks Division (Contact Tom Maglio, 266-6518) and **Metro Transit** (Contact Tim Sobota, 261-4289)
These agencies did not submit comments for this request.

Fire Department (Contact Scott Strassburg, 261-9843)

36. Per MGO 34.19, 34.20 and IFC 503.2.5: A fire apparatus access road that is longer than 150 feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45-degree "Y", 90-degree "T") at the end of the fire apparatus access road. This turnaround shall be constructed of concrete or asphalt only, and designed to support a minimum load of 85,000 lbs. If Tradewinds Parkway does not continue to a through street and is dead-ended, a temporary turn-around shall be installed in Lot 10 and/or Lot 11.

Water Utility (Contact Dennis Cawley, 261-9243)

37. All public water mains and water service laterals shall be installed by standard City of Madison Subdivision Contract. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.

38. 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.

