



Report to the Plan Commission

January 23, 2012

Legistar I.D. #25095
733 South Gammon Road
Demolition and Conditional Use

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Approval of a demolition permit and conditional use to raze a commercial building to construct a multi-tenant building with a drive-up service window.

Applicable Regulations & Standards: Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses. Section 28.12 (12) provides the guidelines and regulations for the approval of demolition permits.

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards are met and **approve** the applicant's request to demolish a commercial building and construct a multi-tenant building with a drive-up service window at 733 South Gammon Road, subject to input at the public hearing and the conditions from the Planning Division and other reviewing agencies.

Background Information

Applicant / Contact: John Bieno; TJK Design Build; 634 West Main Street; Madison, WI 53703

Property Owner: TJS Ventures; 5201 East Terrace Drive; Suite 375 Madison, WI 53703

Proposal: The applicant proposes to raze a commercial building and construct a multi-tenant building with a drive-up service window. The project is scheduled to commence in February 2012 with completion anticipated in August 2012.

Parcel Location: The project site is 36,714 square feet (0.84 acres) in area, located on the east side of South Gammon Road, south of Watts Road. The property is part of a larger planned commercial site that includes the westside Woodman's grocery store. The site is located within Aldermanic District 1; Urban Design District 5; and the Middleton-Cross Plains School District.

Existing Conditions: The subject site currently includes a vacant one-story bank building with a drive up service window.

Surrounding Land Use and Zoning:

North: Highway-oriented commercial development, zoned C3L (Commercial Service and Distribution District)

South: Multi-tenant strip commercial development, zoned C3L with multi-family residential development zoned PUD-SIP (Planned Unit Development-Specific Implementation Plan), beyond;

West: Multi-tenant strip commercial and auto-repair business, zoned C3L with multi-family residential, beyond; and

East: Woodman's grocery store and gas station, zoned C3L, with other commercial development, beyond.

Adopted Land Use Plan: The Comprehensive Plan recommends general commercial development for this property. The Southwest Neighborhood Plan does not provide parcel-specific recommendations for this site but generally recommends that buildings be moved closer to the street and incorporate “traditional neighborhood development” principles when redevelopment occurs.

Environmental Corridor Status: The subject site not within a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services.

Zoning Summary: The property is zoned C3L (Commercial Service and Distribution District) Comments from Zoning, including the summary table, were not received in time to be included in this report.

Project Analysis, Evaluation, and Conclusion

The applicant requests demolition and conditional use approval to raze an existing commercial building for the purpose of constructing a new multi-tenant commercial building with a drive-up service window. This request is subject to the demolition and conditional use standards.

The subject site is located on the east side South Gammon Road, south of its intersection with Watts Road. The parcel is immediately adjacent to the Woodman’s Market development that includes a large grocery store and gas station. Similar commercial development lies immediately to the south and across Gammon Road, with multi-family residential development beyond in both directions. Staff estimate the closest residential units are roughly 300 feet from the proposed menu board / speaker box and drive-up service window.

The existing one-story commercial structure was utilized as a bank with drive-up service windows. City Assessor records indicate the structure was built in 1984 and has an area of roughly 1,648 square feet. The principal building is sited at the center of the property and features an unconventional eight-sided design. The drive-up service windows are located behind the principal structure under a structured canopy. Both the existing structure and the drive-up canopy would be removed as part of this proposal. Staff note that no information has been provided on the condition of the structure other than the attached exterior photographs. The City’s Preservation Planner has raised no objections to this request.

The proposed structure is a one-story, 5,280 square-foot multi-tenant building generally located in the southwest corner of the site. A 27-stall parking lot is located along the north side of the building. Plans show four (4) bicycle parking stalls will be provided along the northeast corner of the structure. A 12-foot wide drive aisle serving the drive-up service window surrounds the side (west) and rear (south) sides of the building. The menu board is located along the Gammon Road (west) façade with the service window along the rear (south) elevation.

A pedestrian connection is provided between the building and the Gammon Road sidewalk. Due to the changes in grade, the sidewalk runs parallel to the drive aisle for roughly 18 feet. In reviewing earlier plans, staff recommended the applicant consider improvements to better direct pedestrian movements to the designated crossing. The latest plans have provided some additional juniper and rose plantings adjacent to the menu board, presumably to better direct pedestrian movements to the designated crossing. Staff note that the exact layout of this walk differs on the latest landscape and site plans.

The building plans show the new building has three potential tenant spaces. The identified tenant is Dunkin Donuts, occupying a 2,000 square foot space closest to Gammon Road. They would also be the operator of the drive-up service window.

The building is proposed to be clad in brick and includes a brick soldier course accent band wrapping all facades. Small tower features mark the three primary building entrances. The base of these elements includes larger storefront windows and split face block with the upper portions above the signage band clad in a combination of EIFS and painted corrugated metal panels. The revised drawings show a series of small off-set windows above the signage band. The elevations have been revised as part of the latest UDC submittal and the most current drawings are included in the Plan Commission packet.

The site is within Urban Design District 5 and UDC approval is required. The project received initial approval from the Urban Design Commission on December 21, 2011 and final approval has been requested on the January 18 meeting. Additional information may be provided at the back of the packet regarding the outcome of that meeting.

The project architect presented initial concept plans to staff in August 2011. One of the primary issues discussed was the location of the drive-up service window and whether the site could be reconfigured so the drive-aisle was not located between the building and Gammon Road. From that discussion, staff understands the current concept is applicant's preferred approach and is the most feasible option based on the prospective tenant.

Staff believe the proposed drive-through configuration is generally consistent with the surrounding auto-oriented context and don't anticipate the drive-through itself would result in conflicts with the residential properties. The nearest residential units are roughly 300 feet from the proposed service window and "speaker-box" and are at least partially buffered by existing buildings. The Comprehensive Plan recommends this area for "general commercial" development which includes automobile-oriented uses and "heavy" commercial uses with appearance or operational characteristics. The Southwest Neighborhood Plan provides very generalized design recommendations including minimizing front yard setbacks. Staff note that even with the proposed drive aisle, the new building is roughly 15 feet closer to Gammon Road than the existing structure.

Staff's support of the proposal is subject to a few design-related conditions. First, staff believe additional landscaping should be provided in the 14-foot wide front yard to better screen the aforementioned drive aisle and menu board, which has a very prominent location along Gammon Road. Additional landscaping has been added by the applicant, though the species are not clearly identified in the planting schedule. Staff also believe that at least one large tree (in addition to the proposed "Katsuratree") be located along the Gammon Road frontage.

Staff also note that there were previously some inconsistencies between the submitted site and landscape plans, though it appears that most of these have been corrected on the latest plans provided to the UDC. However, there are some new discrepancies regarding the Gammon Road pedestrian connection on the revised plans. It also appears that the perspective elevation drawing included with the latest UDC plans does not match the revised drawings. Staff have provided a condition recommending that the details be made consistent on the final plan set.

Staff believe the project can meet the applicable demolition and conditional use standards, subject to the recommended conditions. At the time of report writing, staff was not aware of any concerns from nearby residents.

Recommendation and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the standards are met and **approve** the applicant's request to demolish a commercial building and construct a multi-tenant building with a drive-up service window at 733 South Gammon Road, subject to input at the public hearing and the conditions from the Planning Division and other reviewing agencies.

1. That the plan details (including the site plan, landscape plan, elevation and perspective elevation drawings) provided for staff approval and sign-off are consistent.
2. That plantings are provided in the in the yard fronting South Gammon Road in order to provide additional screening of the menu board and the drive aisle. It is not staff's intent with this condition to provide a solid hedge along this frontage. Plans shall also be revised to show at least one additional large deciduous tree within the Gammon Road-fronting yard. All species and planting sizes shall be clearly labeled on the plans and in the planting schedule.

Please note, the revised plans submitted to the Urban Design Commission (for the January 18 meeting) show additional drive aisle / menu board plantings as requested, though not all species are not clearly labeled in the planting schedule. These details shall be clarified and revised to reflect any revised plantings approved by the UDC and provided for staff approval as part of final sign-off.

The following conditions have been submitted by reviewing agencies:

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

3. Department of Commerce (Comm 82.35(3)(b)2) requires the installation of manholes where there is a horizontal change greater than 45° if the change in direction is created within a distance of 10ft. Alternately, (2) 22.5° bends with a short pipe segment between bends would be allowable.
4. The proposed Dunkin Donuts site will have an approved address of 739 S. Gammon Rd., the middle retail space will use the approved address of 735 S. Gammon Rd. and the furthest east retail space will use the approved addresses of 733 S. Gammon Rd.
5. Provide Engineering Mapping the recorded documents detailing the terms and conditions of both existing and proposed shared driveways and ingress-egress with all adjacent properties.
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.
POLICY AND MGO 10.29
7. 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.

8. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
9. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds. (POLICY)
10. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: a) Control 40% TSS (20 micron particle) off of new paved surfaces; b) Provide oil & grease control from the first 1/2" of runoff from parking areas; and c) Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.
11. 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)
12. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) izenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
13. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division (Jeff Benedict or Tim Troester). 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).
14. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File 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.
15. 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>.

16. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges 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))
17. 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)

Traffic Engineering Division (Contact Bryan Walker, 267-8754)

18. The applicant shall provide a deposit for signing and marking to secure adequate ingress and egress conditions for the project's main driveway on Gammon Rd. The estimated amount is \$7,500.

19. When site plans are submitted for approval, the developer shall provide a recorded copy of the reciprocal land agreement for passage over, upon, across and through the facilities and ingress and egress for each building, loading and parking site. This land agreement for vehicular and pedestrian access shall be a perpetual, non exclusive, unimpeded or unobstructed land agreement for the lots in the commercial site.
20. The applicant shall provide a contiguous master plan for the entire commercial development including the properties to the north up to Watts Rd and the grocery store to the east when site plans are submitted. All signage and pavement markings shall be shown on the master plan at the driveway entrances.
21. The site plan shall be revised to create 30 ft main driveway width vs. the 26 ft wide throat proposed, to minimize conflicts and congestion backing up into Gammon Rd.
22. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
23. 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)

Comments were not available prior to finalization of this report. Any provided comments will be provided at the back of the packet.

Fire Department (Contact Bill Sullivan, 261-9658)

24. Provide an additional fire hydrant on the site plans; see MGO 34.507 for additional information. A minimum of 2 shall be shown.

25. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503.

Water Utility (Contact Dennis Cawley, 261-9243)

26. The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not submit a response to this request.