



Project Address: 420 Gammon Place
Application Type: Demolition Permit
Legistar File ID # [30528](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: Mike Ring; Park Towne Development; 402 Gammon Place, Suite 300; Madison, WI 53719
Contact: Mike Ring; Park Towne Development; 402 Gammon Place, Suite 300; Madison, WI 53719
Property Owner: Gammon Restaurant, LLC; 402 Gammon Place, Suite 300; Madison, WI 53719

Requested Action: The applicant requests approval of a demolition permit to raze an existing restaurant to construct a multi-tenant retail building.

Proposal Summary: Upon demolition of the existing restaurant, the applicant would build an 8,260 square foot multi-tenant retail building.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185(7)].

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the demolition of an existing restaurant for the purpose of constructing a new multi-tenant building at 420 Gammon Place. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 43,528 square foot (0.99 acre) subject property is located between Gammon Road and Gammon Place, south of Mineral Point Road. The site is within the "Park Towne" development, which includes lands generally surrounded by Odana Road, Mineral Point Road, Gammon Road, and Yellowstone Drive. The site is within Aldermanic District 19 and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is currently developed with a one-story 7,202 square foot restaurant. City Assessor's records indicate that the structure was built in 1981. The approved plat includes a vehicular access restriction along Gammon Road and vehicular access is taken from Gammon Place.

Surrounding Land Use and Zoning:

North: Bank, zoned CC (Commercial Center), with Madison Memorial High School, zoned CI (Campus Institutional) beyond, north of Mineral Point Road.

South: Multi-Tenant Retail Building, zoned CC;

East: City of Madison-owned storm water facility, zoned CN (Conservancy); and

West: West Towne Mall, zoned CC.

Adopted Land Use Plan: The Comprehensive Plan recommends general commercial development for this site. This proposal is consistent with that recommendation. There are not more specific neighborhood plan recommendations.

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

	Required	Proposed
Front yard setback	85'	30'
Side yard setback: other cases	One-story: 5 Two-story or higher: 6	10.2'
Rear yard setback	N/A	N/A
Maximum lot coverage	85%	To be shown on final plans
Maximum height	5 stories / 68 See (d) below	1 story
Number parking stalls	No minimum	59
Bike parking	TBD Retail=1 per 2,000 sq. ft. of floor area. Restaurant = 5% capacity	5 (See Comment #24)
Landscaping	Yes	Yes (See Comment #23)
Lighting	Yes	No (See Comment #22)
Accessible stalls	3	4 (See Comment #26)
Loading	0	0
Building forms	Yes	Meets building forms
Other Critical Zoning Items	None	

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 full range of urban services.

Project Description

The applicant proposes to demolish the existing 7,202 square foot restaurant for the purpose of constructing a one-story multi-tenant retail building. Please note that an earlier version of this submittal also requested approval of a drive-up service window. The applicant has revised the request and no drive-up window is now proposed. Photos of the building proposed for demolition can be viewed online at:
http://www.cityofmadison.com/planning/projects/reports/420gp_photos.pdf

According to the submitted materials, the proposed building is approximately 8,260 square feet in area. It is clad in a combination of metal panels, composite panels, and architectural block. Windows and doors are provided along both the Gammon Road and Gammon Place-facing elevations. While not labeled on the plans, the applicant has indicated to staff that a small amount of the Gammon Road facing glass is spandrel as it is adjacent to a mechanical room. This information should be clearly noted on the approved plans.

The building is configured to be divided into (up to) five (5) 1,600 square foot tenant spaces. The letter of intent indicates that the applicant has a signed letter of intent with a bank to occupy approximately half of the proposed building. Other potential tenants include a deli/sandwich shop.

The building will be set back 30 feet from Gammon Road, consistent with private deed restrictions recorded for the "Park Towne" development. A direct sidewalk connection is proposed from Gammon Road, leading to a 5-7 foot wide walk on that side of the building. The walk wraps around the building, providing access to the Gammon Place-facing side. The plan includes 59 automobile parking stalls and five (5) bicycle parking stalls.

Analysis and Conclusion

This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185(7)].

Demolition Approval Standards

Staff believes the Demolition Approval Standards can be met. In order to approve the requested demolition, the Plan Commission must find that the proposed demolition and future use are both 1) consistent with the intent and purpose of the zoning district and 2) that the proposed future use is compatible with the purpose of the demolition section of the ordinance. The demolition standards also state that the proposed use should be compatible with adopted plans.

The proposed use is permitted in the CC District. The use is consistent with the Comprehensive Plan's recommendation for general commercial uses.

As with all demolition requests, the Preservation Planner provided these plans to the Landmarks Commission who found that the existing building has no known historic value.

Conclusion

Staff believes the project meets the applicable standards for demolitions. The proposed structure has improved street orientation and pedestrian access compared to the existing structure. At the time of report writing, staff had not received any public comments or concerns related to this proposal.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the demolition of an existing restaurant for the purpose of constructing a new multi-tenant building at 420 Gammon Place. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Kevin Firchow, 267-1150)

1. That the elevation drawings clearly label any spandrel glass proposed on the exterior façades, for approval by staff. Staff understands that spandrel glass is limited to the central windows (below the "Shopping Center" sign on the West elevation drawing). This is due to the location of the building's mechanical room. The balance of the depicted windows will be vision glass.

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

2. The address of 420 Gammon Place will be retired with the demolition of the existing building. The new address for the parcel will be 422 Gammon Place. 422 Gammon Place shall be located in the north tenant space. Additional street addresses for the additional tenant(s) will be provided when PDF floor plans are received.
3. The pending Certified Survey Map for this property shall be completed and recorded with the Dane County Register of Deeds prior to issuance of building permits.
4. Submit a PDF of all floor plans to lzenchenko@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.
5. 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 or CSM. Note: Land tie to two PLS corners required.
6. The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along Gammon Place in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. (MGO 16.23(9)(d)(6))
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. 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) Reduce TSS off of the proposed development by 80% when compared with the existing site; 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.

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

NOTE: Email file transmissions preferred addressing@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))

10. 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, and g) 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: a) SLAMM DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc... and d) Sediment loading calculations.
12. 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))
13. 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))
14. 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 Eric Halvorson, 266-6572)

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| 15. Applicant shall provide continuous pedestrian walkway from building to Gammon Road Sidewalk. Applicant shall provide continuous pedestrian walkway from building to future Gammon Place Sidewalk. |
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16. 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.
17. 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/handholes, including labor, engineering and materials for both temporary and permanent installations.
18. 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)

19. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances prior to sign installations. The existing sign to remain shall comply with code requirements subject to a new sign applicant and approval.
20. Sec. 28.185 (7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Mr. George Dreckmann. (608-267-2626).
21. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
22. Lighting is required and shall be in accordance with City of Madison General Ordinances Section 10.085. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 ft from the adjacent lot line. (See City of Madison lighting ordinance).
23. Pursuant to Sec. 28.142 (3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
24. Bike parking shall comply with City of Madison General Ordinances Table 28I-3 (General Regulations). Provide the minimum number of bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Provide details of bike rack on final plan sets.
25. Section 28.185(9) (a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
26. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:

- a. Provide a minimum of three accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
- b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
- c. Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.

27. Provide details for Door and window openings subject to sec. 28.060(2)(d).

28. Provide compliance with detail relating to rooftop equipment and sec. 28.060(2)(f).

Fire Department (Contact Bill Sullivan, 261-9658)

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

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

Water Utility (Contact Dennis Cawley, 261-9243)

31. 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.

Parks Division (Contact Kay Rutledge, 266-4714)

32. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction – <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>.

33. This development is within the Garner impact fee district (SI29). Please reference ID# 13140 when contacting Parks about this project.

34. 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.

35. Please contact Kay Rutledge @ 266-4714 or krutledge@cityofmadison.com if you have questions regarding the above items.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.