

PLANNING DIVISION STAFF REPORT

April 18, 2014



PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION

Project Address: 721 S. Gammon Road
Application Type: Demolition Permit and Conditional Use
Legistar File ID # [33221](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant: Jim Arneson, Building Systems General Corp.; 5972 Executive Drive, Suite 100; Fitchburg.

Property Owner: Woodman's Food Market, Inc.; 2631 Liberty Lane; Janesville.

Requested Action: Approval of a demolition permit and conditional use to allow an existing gas station and convenience store to be demolished and a new gas station and convenience store to be constructed at 721 S. Gammon Road.

Proposal Summary: The applicant is requesting approval to demolish the existing gas station facility at Woodman's West, which is comprised of 7 pump islands, a canopy, and a small payment shed, to allow construction of a new, larger canopy structure to cover 6 pump islands in a different configuration than the existing. A new 1,320 square-foot convenience store will also be constructed, which will be connected to the new canopy. The project will commence in May 2014, with completion scheduled for September 2014.

Applicable Regulations & Standards: Table 28D-2 of Section 28.061 identifies auto service (gas) stations and convenience stores as a conditional use in the CC (Commercial Center) district, with Supplemental Regulations in 28.151. Section 28.183 of the Zoning Code provides the process and standards for the approval of conditional use permits. The Woodman's Food Market complex is a Planned Multi-Use Site with greater than 40,000 square feet of floor area of which 25,000 or more square feet are used for retail purposes, which requires review by the Urban Design Commission per Section 33.24(4)(f) of the Urban Design Commission ordinance (Large Retail Establishments). Section 28.185 provides the process and standards for the approval of demolition and removal permits.

Review Required By: Urban Design Commission and Plan Commission

Summary Recommendation: The Planning Division recommends that the Urban Design Commission and Plan Commission find the standards met and **approve** a demolition permit and conditional use to allow demolition of an existing and construction of a new gas station and convenience store and at 721 S. Gammon Road subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: The subject site is an approximately 17.2-acre parcel generally located in the southeastern quadrant of the Watts Road-S. Gammon Road intersection, Aldermanic District 19 (Clear); Middleton-Cross Plains Area School District.

Existing Conditions and Land Use: The existing gas station and convenience store is comprised of 7 pump islands covered by a canopy and a small payment shed, and is part of a larger complex that includes the approximately

221,900 gross square-foot Woodman's Food Market and surface and structured parking facilities. The entire site is zoned CC (Commercial Center District).

Surrounding Land Use and Zoning:

North: Multi-tenant retail building on south side of Watts Road and BP gas station and convenience store at northeastern corner of Watts Road and S. Gammon Road, both in CC (Commercial Center District) zoning; retail, office and storage buildings on north side of Watts Road in the Town of Middleton;

South: Multi-tenant retail buildings along the east side of S. Gammon Road, zoned CC; Country Meadows Apartments, zoned PD;

East: Main Woodman's West grocery store building;

West: Multi-tenant retail center and Valvoline Oil Change across S. Gammon Road, zoned CC; Country Meadows Apartments, zoned PD.

Adopted Land Use Plan: The Comprehensive Plan recommends that the subject site and surrounding commercial properties be developed with General Commercial uses.

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

Bulk Requirements	Required	Proposed
Front yard setback	100' max.	37' to attached canopy support
Side yard setback: other cases	One-story: 5	86.96' RS
Rear yard setback	The lesser of 20% of lot depth or 20	adequate
Maximum lot coverage	85%	Less than 85%
Maximum height	5 stories / 68'	1 story / 19'
Site Design	Required	Proposed
Number parking stalls	No minimum	1
Accessible stalls	1	1
Loading	No	No
Number bike parking stalls	2	0
Landscaping	Yes	Yes
Lighting	Yes	Yes
Building forms	Yes	Meets building forms
Other Critical Zoning Items: Urban Design (UDD #2, Planned Multi-use Site), Barrier Free (ILHR 69)		

Prepared by: Pat Anderson, Asst. Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor (Map B10).

Public Utilities and Services: The site is served by a full range of urban services, including seven-day Metro Transit service.

Project Description

The applicant is requesting approval to demolish the existing gas station facility at Woodman's West, which is comprised of 7 pump islands, a canopy, and a small payment shed, to allow construction of a new, larger canopy structure to cover 6 pump islands in a different configuration than the existing station. A new 1,320 square-foot convenience store will also be constructed in the same location as the payment shed to be razed. Access to the gas station is provided by existing driveways from S. Gammon Road that serve the larger Woodman's complex as well as the two multi-tenant retail buildings located to the north and south of the gas station and convenience store along S. Gammon Road. Access and circulation through the gas station and convenience store complex will remain the same as existing despite the reorientation of the pumps from east-west perpendicular to S. Gammon Road to north-south parallel to the street.

The new convenience store building will primarily be clad in masonry, with metal accents to tie into the new metal gas canopy structure. The new building will feature a prominent glass storefront system on the western, street-facing façade. The columns supporting the canopy will be clad in masonry to match the new building.

The applicant proposes for the convenience store to operate from 6:00 a.m. to 9:00 p.m. daily, with gas sales to occur 24 hours daily. Trash collection and parking for the new complex will be provided by the remainder of the Woodman's complex. The letter of intent states that no outdoor amplified advertisements, music, display or sales are proposed, though staff recommends that those self-restrictions be enshrined in the approval of the project.

Supplemental Regulations

The supplemental regulations for automobile service stations and convenience stores (as applicable in the CC zoning district) in Section 28.151 are:

- (b) A convenience store shall not be located within 1,980 feet distance of 3 or more existing convenience stores, as measured along the center lines of streets.
- (c) The following activities and equipment are allowed only in the rear yard and at least 50 feet from a residential zoning district:
 - 1. Storage of vehicle parts and refuse.
 - 2. Temporary storage of vehicles during repair and pending delivery to the customer.
 - 3. Vacuuming and cleaning.
- (f) No building, structure, canopy, gasoline pump, or storage tank shall be located within 25 feet of a residential zoning district.

Analysis and Conclusion

The Planning Division believes that the demolition permit and conditional use standards can be met to allow the existing gas station and convenience store to be demolished and a new gas station and convenience store complex to be constructed, including the applicable supplemental regulations for auto service stations and convenience stores in the CC zoning district. Staff also believes that the relevant site design standards for large retail establishment in Section 33.24(4)(f) are also met with the proposed development. The new convenience store building and gas canopy are well-designed and should improve the appearance of the Woodman's

complex along S. Gammon Road. The new layout of the gas pumps should also improve circulation through the site and eliminate car headlights facing S. Gammon Road as currently exists.

Staff also believes that the 24-hour fuel sales proposed are appropriate for the subject site given the auto-oriented, commercial character of the buildings immediately surrounding the gas station and convenience store complex. The nearest residential building is over 350 feet to the southwest across S. Gammon Road beyond other commercial uses.

Recommendation

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

The Planning Division recommends that the Urban Design Commission and Plan Commission find the standards met and **approve** a demolition permit and conditional use to allow demolition of an existing and construction of a new gas station and convenience store and at 721 S. Gammon Road subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

1. No outdoor amplified advertisements or music shall be permitted at any time.
2. The outdoor storage and sale of windshield wash, mulch, firewood, salt and other such materials shall not be permitted at any location on the subject site, including in the parking lot, on walkways adjacent to the convenience store or in the area of the pump islands.
3. The hours of operation for the convenience store shall be 6:00 a.m. to 9:00 p.m. daily. Modifications to these hours of operation shall be allowed only following the approval of a minor alteration to the conditional use by the Director of the Planning Division following a recommendation by the district alder. The sales of fuel shall be allowed 24 hours a day.

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

4. The new Woodman's gas station will reuse their address of 721 S. Gammon Rd.
5. The existing building does not have sanitary sewer and the new building appears to have bathrooms. Applicant shall provide a plan showing how the new building will be provided sanitary sewer service.
6. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).
7. All damage to the pavement on S. Gammon Road, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
8. 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.

9. 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).
10. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to: Control 40% TSS (20 micron particle) off of new paved surfaces, provide oil & grease control from the first 1/2" of runoff from parking areas, and 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. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
11. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the City Engineering Division. (Lori Zenchenko) lzenchenko@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. E-mail 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.
12. 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).
13. 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.
14. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, 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.
15. 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, 266-6527)

16. Extend sidewalk connection on the north side of the lot to the Woodman's crosswalk, include accessible ramps.
17. Look at the feasibility of adding a sidewalk on the southern side of the lot to accommodate pedestrians from the apartments to the south, include accessible ramps.
18. 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.
19. 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.
20. 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.
21. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Pat Anderson, 266-5978)

22. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
23. Sec. 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
24. This project is designed as a planned multi-use site. 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.
25. Pursuant to MGO Section 28.142(3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
26. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets, with the final plan submittal.
27. Signage for this development will require a Comprehensive Design Review by the Urban Design Commission.

28. Bike parking shall comply with City of Madison General Ordinances Table 28I-3 (General Regulations). Provide the minimum of two 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.

29. Provide lot coverage calculation for the Woodmans property with the final plan sets.

Fire Department (Contact Bill Sullivan, 261-9658)

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

Water Utility (Contact Dennis Cawley, 261-9243)

31. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility in accordance with MGO Section 13.21.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.