



## Report to the Plan Commission

March 21, 2011

**Legistar I.D. #21170**  
**5402 World Dairy Drive**  
**Rezoning**

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval of a rezoning of vacant property from PUD-GDP (Planned Unit Development – General Development Plan) to PUD-SIP (Planned Unit Development – Specific Implementation Plan) for a new multi-tenant office, research, and lab facility.

**Applicable Regulations & Standards:** Section 28.12 (9) provides the process for zoning map amendments. Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Development Districts.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission finds that the Planned Unit Development standards can be met and forward the request to construct a multi-tenant office, research and lab facility to the March 29 Common Council meeting with a recommendation for **approval** subject to input at the public hearing and conditions from reviewing agencies.

### Background Information

**Applicant/Project Contact:** Frank Staniszewski; Madison Development Corporation; 550 W. Washington Ave.; Madison

**Property Owner:** City of Madison; 215 Martin Luther King Jr. Blvd.; Madison

**Proposal:** The applicant is requesting a rezoning of the property from PUD-GDP to PUD-SIP to construct a new multi-tenant office, research, and lab facility in the World Dairy Center.

**Parcel Location:** 5402 World Dairy Drive is located on the north side of World Dairy Drive near its eastern terminus; Aldermanic District 16 (Compton); Madison Metropolitan School District.

**Existing Conditions:** The 2.6-acre parcel is currently vacant and relatively flat, sloping down slightly in the southwest corner of the property.

**Surrounding Land Use and Zoning:** This property is in the central part of a 57-acre planned unit development. Undeveloped parcels lie to the west, north, and east zoned PUD-GDP, and six existing employment buildings lie to the south and further west, zoned PUD-SIP. Surrounding the planned unit development on the west, north, and east are developed and agricultural lands in the M1 (Limited Manufacturing District, with wetlands to the south.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends Employment (E) for this property. This property lies just outside the boundaries of the Stoughton Road Revitalization Project Plan (2008).

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

**Public Utilities and Services:** The property is served by a range of urban services, including Metro Route 39, providing transit service at peak times. The streets surrounding the property are private streets.

**Zoning Summary:** Reviewed based on the criteria for the C2 District

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	114,483 sq. ft.
Lot width	50'	522.44'
Usable open space	N/A	N/A
Front yard	20'	As shown on plans
Side yards	15' or 20% of building height	As shown on plans
Rear yard	20' or 45% of building height	As shown on plans
Floor area ratio	3.0	Less than 1.0
Building height	---	1 story with mezzanine

### Site Design

No. Parking stalls	TBD	75
Accessible stalls	3	3
Loading	1 (10' x 35')	None (See Condition No. 27, p. 6)
No. Bike Parking stalls	7	7 (See Condition No. 23, p. 6)
Landscaping	Yes	Yes (See Condition No. 24, p. 6)
Lighting	Yes	Yes (See Condition No. 26, p. 6)

### Other Critical Zoning Items

Urban Design	Yes
Flood Plain	No
Utility Easements	Yes
Barrier free (ILHR 69)	Yes

*Prepared by: Pat Anderson, Asst. Zoning Administrator*

### Project Description

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The applicant proposes to rezone a 2.6-acre vacant property in the World Dairy Center from PUD-GDP to PUD-SIP in order to construct a 31,000 square foot office, research, and laboratory facility.

The one-story, multi-tenant building sits in the middle of the property facing World Dairy Drive to the south, with its main entrance in the southwest corner of the building and a secondary entrance on the east side of the building. The building maintains an east/west orientation on the irregular-shaped property, maintaining a 15-foot setback from World Dairy Drive at its closest point, and up to 90 feet from the street near the main entrance. The building sits approximately 25 feet from the right-of-way to the east of the building.

Three automobile access driveways and one wider driveway for semi-trucks lead to a 75-stall surface parking lot located along the west side and north (rear) side of the building. Plans submitted show an area in the northeast portion of the property where 18 additional parking stalls could be added in the future if needed. Seven bicycle-parking stalls are provided near the main entrance on the southeast corner of the building.

The building is 23 feet tall to the top of the roof, and up to 34 feet tall to the top of the rooftop equipment screening area. The building contains flexible, open spaces for agribusiness tenants, over 5,000 square feet of greenhouse space, office space, a single loading dock in the center of the north side (rear) of the building, and mechanical spaces. Based on the rentable square footage, approximately 80-90 employees are anticipated, although the maximum capacity of the building is over 250.

Exterior materials include a brick base, concrete masonry units, horizontal bands of metal paneling, and an abundance of glass, which is predominant on the south side (front) of the building where the greenhouse spaces are located.

The landscape plan submitted includes eight deciduous canopy trees along the western and northern perimeter of the parking lot, eight small deciduous trees, six small evergreens, and a variety of shrubs and low perennial plantings around the perimeter of the property and the foundation of the building. Prairie grasses cover much of the lawn area in front of the building

### Related Approvals

On February 16, the Urban Design Commission granted **final approval** for the proposal (see attached report).

## Evaluation and Conclusion

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The proposed building is consistent with the Comprehensive Plan (2006), which recommends Employment uses for this area. The proposed PUD-SIP is also consistent with the PUD-GDP recorded for the World Dairy Campus in 1994, which calls for employment uses focused on agriculture-related research. Staff believes that the proposal meets the criteria for approval of Planned Unit Development zoning as follows:

### **MGO Section 28.07(6)(f) - PUD Criteria for Approval**

**a) Character and Intensity of Land Use-** Staff believes that the proposed building is compatible with other buildings in the area, and appropriate based on adopted plans and the recorded PUD-GDP for the World Dairy Center. The design of the building and the use of masonry, metal, and glass on the exterior should provide for sustained aesthetic desirability, and the addition of the anticipated 80-90 employees will be welcome in an area planned for additional employment uses.

**b) Economic Impact-** As authorized by the Common Council in March 2009, the BioLink proposal will utilize just over \$2 million in tax increment financing, including the transfer of city-owned land, in conjunction with a federal grant to support construction. Inclusion of this project within the costs for TID 39 necessitated the removal of several public infrastructure improvements. The proposed building is expected to accommodate 80-90 research-oriented jobs, and the property will join the tax base in 2023 following the closure of TID 39, with an anticipated assessable value of \$4 million.

**c) Preservation and Maintenance of Open Space-** The proposal maintains high quality landscaping and perennial grasses in front of and around the perimeter of the building and parking lot.

**d) Implementation Schedule-** Since this is a proposed PUD-SIP for one project, rather than one of many phases, this standard is less applicable.

Planning Division staff recommends that the Plan Commission finds that the Planned Unit Development standards can be met and forward the request to construct a multi-tenant office, research and lab facility to the March 29 Common Council meeting with a recommendation for **approval** subject to input at the public hearing and conditions from reviewing agencies.

## Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

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### **Planning Division Recommendation** (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the request subject to input at the public hearing and the following conditions:

### **Planning Division** (Contact Heather Stouder, 266-5874)

1. Final plans submitted for staff review and approval will address recommended conditions of approval by the Urban Design Commission on February 16.
2. Final plans submitted for staff review and approval will include detail on the proposed trash enclosure, which shall be constructed of materials complementary to the building.

***The following conditions have been submitted by reviewing agencies:***

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

3. The plans show a sanitary sewer lateral being connected to a 4inch stub from World Dairy Drive. Verify if the 4inch lateral provides sufficient capacity to serve this building. If the 4 inch lateral is sufficient, a clean-out is required where the pipe size changes. If a 6 inch lateral is required then the existing lateral will need to be replaced.

4. This plat was set up to promote storm water conveyance through open channels. Revise discharge of storm water to be at multiple points along the drainage ditch adjacent to the west property line.
5. The applicant shall provide a 15ft private drainage easement on the west property line. The owner shall maintain the east half of the drainage swale along the western property line.

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 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.
8. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.

Information on this permit application is available on line:

<http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)

9. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:
  - a) Provide infiltration in accordance with MGO Chapter 37
  - b) Provide oil & grease control from the first 1/2" of runoff from parking areas.
  - 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 MGO Ch. 37

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

10. 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

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

NOTE: Email file transmissions preferred [addressing@cityofmadison.com](mailto: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)).

11. 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
  - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)
12. 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.
  - d) 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 (POLICY and MGO 37.09(2)).
13. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (MGO 37.05(7)).
14. 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)).
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).
16. City of Madison Environmental Project Staff are not aware of any land dedications required for this plat/CSM. As a result, a Phase 1 Environmental Site Assessment (ESA) **will not** be required of the applicant. If Right of Way is dedicated as a result of the project, the applicant shall notify Brynn Bemis (608.267.1986) to determine if a Phase I ESA will be required (MGO 16.23(5)(g)(2)).

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

17. The proposed location of the trash enclosure and loading dock may require truck service to back onto the site and may allow backing from the private street for operation of the site. The applicant will need to show truck service movement ingress / egress to the loading dock and private-street with Auto-turn software. The City would recommend the applicant review as to accommodate all truck movement on site or demonstrate minimum use of the private-street. Truck service may need to post "No Parking Between Signs" with arrow on both sides of private-streets to accommodate ingress/egress truck turning movements.

18. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
19. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
20. A "Stop" sign shall be installed at a height of seven (7) feet at all driveway approaches. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
21. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.
22. 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)

23. Provide seven (7) bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location.

NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

24. For parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element.

NOTE: The required trees do not count toward the landscape point total.

Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch, or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.

25. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31. Signage must be approved by the Urban Design Commission and Zoning. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.
26. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards (see parking lot packet). Lighting will be limited to 0.08 watts per square foot.
27. Parking and loading shall comply with MGS Section 28.11(4). Provide one (1) 10' x 35' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.

**Fire Department** (Contact Bill Sullivan, 266-4420)

28. 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)

29. 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 not need a copy of the approved plans.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this request.