



Report to the Plan Commission

November 19, 2012

Legistar ID #28116
6002 Cottage Grove Road
PUD-SIP Rezoning

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

Requested Actions: Approval of a request to rezone property generally addressed as 6002 Cottage Grove Road from Planned Unit Development-General Development Plan (PUD-GDP) to Planned Unit Development-Specific Implementation Plan (PUD-SIP) to allow construction of an approximately 58,000 square-foot Copps grocery store in the Grandview Commons Town Center.

Applicable Regulations & Standards: Section 28.12(10) provides the process for zoning map amendments. Section 28.07(6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments. Section 33.24 (4)(f) provides the standards for large retail establishments.

Summary Recommendation: The Planning Division recommends that the Plan Commission recommend **approval** to the Common Council of Zoning Map Amendment ID 3632, rezoning 6002 Cottage Grove Road from PUD-GDP to PUD-SIP, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 6 of this report.

Background Information

Applicant: Chris Winter, Rollee Winter & Associates; 3315A N. Ballard Street; Appleton.

Property Owners: DJK Real Estate and Grandview Land, LLC; 6801 South Towne Drive; Madison.

Agent: Brian Munson, Vandewalle & Associates; 120 E. Lakeside Street; Madison.

Proposal & Parcel Location: The applicant is requesting approval of a specific implementation plan to allow construction of an approximately 58,000 square-foot Copps Grocery store on 5.9 acres of land located on the north side of Cottage Grove Road and east side of extended Gemini Drive in the Grandview Commons Town Center development. The application materials indicate that construction of the store will commence in 2013, with completion scheduled in 2014. The proposed development is located in Aldermanic District 3 (Cnare) and the Madison Metropolitan School District.

Existing Conditions: The subject site is undeveloped with the exception of the one-story former Doric Lodge and adjacent telephone equipment shed located at 6002 Cottage Grove Road.

Land Use and Zoning Surrounding Subject Site:

North: Private open spaces (Outlots 20, 26 & 27), multi-family residential along Gemini Drive, and single-family residences in Grandview Commons, all zoned PUD-SIP;

South: Single-family residences in the Richmond Hill subdivision, zoned R1 (Single-Family Residence District); the Marian Shrine of the Sisters of Schoenstatt and undeveloped land, zoned A (Agriculture District);

West: Existing and future Grandview Commons Town Center mixed-use buildings west of North Star Drive and future extended Gemini Drive, zoned PUD-SIP;

East: Existing and future single-family residences in Grandview Commons, zoned PUD-SIP and R2T (Single-Family Residence District).

Adopted Land Use Plan: The Comprehensive Plan was amended earlier this year to recommend the portion of the Grandview Commons Town Center east of extended Gemini Drive for Community Mixed-Use development. The portion of the town center located west of extended Gemini is recommended for Neighborhood Mixed-Use development. The lands located generally to the north and east of the proposed plat are recommended for Low-Density Residential uses.

The recently amended Sprecher Neighborhood Development Plan identifies the Grandview Commons neighborhood mixed-use center properties located on both sides of North Star Drive for mixed uses. The site of the future City library is identified for institutional uses. The single-family lots to the north and east of the mixed-use commercial/ residential area are recommended for low-density residential uses.

Environmental Corridor Status: This property is not located within a mapped environmental corridor. The corridor map notes that the northeastern corner of the former Doric Lodge property contains woodlands (80% canopy).

Public Utilities and Services: Grandview Commons is served by a full range of urban services except Metro Transit, which does not currently serve any neighborhoods in this area east of Interstate 39-90 except for the southernmost portions of the Richmond Hill subdivision at E. Buckeye Road.

Zoning Summary: The proposed Copps grocery store will be rezoned PUD-SIP with this application. The specific implementation plan will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Urban Design (PUD), Barrier Free
No:	Wellhead Protection, Floodplain, Landmarks, Waterfront Development, Utility Easements
Prepared by: Pat Anderson, Asst. Zoning Administrator	

Future Zoning Summary: In order to provide conforming zoning to the subject site upon the effective date of the new Zoning Code on January 2, 2013, the zoning map amendment ordinance includes the creation Section 28.022--00001 to rezone the site to the Planned Development-Specific Implementation Plan (PD-SIP) zoning district.

Previous Approvals

On February 5, 2002, the Common Council approved a request to rezone 232.6 acres of land located in the northeastern quadrant of Cottage Grove Road and Interstate 39-90 from A (Agriculture District) to PUD-GDP and approved the preliminary plat of Grandview Commons for the future development of 557 single-family residences, 20 two-family residences, up to 785 multi-family residential units (throughout the development), 100,000 square feet of retail/ office uses, and 20,000 square feet of additional office space above the first floor in the neighborhood center.

On June 4, 2002, the Common Council approved an Amended PUD-GDP and a PUD-SIP for the first phase of Grandview Commons to allow development of 557 single-family residences, 20 two-family residences, up to 1,248 multi-family residential units (throughout the development), 100,000 square feet of retail/ office uses, 50,000 square feet of flex space, and 20,000 square feet of additional office space above the first floor in the neighborhood center.

On June 18, 2002, the Common Council approved a revised preliminary plat and final plat of Grandview Commons. The final plat was recorded on November 6, 2002.

On October 16, 2006, the Plan Commission approved a demolition permit to allow the former Doric Lodge located at 6002 Cottage Grove Road to be demolished.

On July 17, 2007, the Common Council approved a major alteration to the general development plan for the Grandview Commons Neighborhood Center–Mixed-Use district to allow up to 90,000 square feet of retail/office uses and 162 residential units to be developed on the portion of the neighborhood center located east of North Star Drive. The Council also approved a Certified Survey Map to create two lots within the mixed-use center, including a lot donated to the City for a future City library.

On March 20, 2012, the Common Council approved a request to rezone properties generally addressed as 6002 Cottage Grove Road, 5901-5939 Sharpsburg Drive and 857 Jupiter Drive from Temp. A (Agriculture District), PUD-GDP and PUD-SIP to Amended PUD-GDP and R2T (Single-Family Residence District) to establish a General Development Plan for the future development of 109,000 square feet of retail/office space, a 24,000 square-foot library and 110 multi-family residential units; and approved the preliminary plat of Town Center Addition to Grandview Commons, creating 18 single-family lots, 5 town center lots and 1 outlot for the future development. The approved rezoning request coincided with approval of requests to amend the Comprehensive Plan and the Sprecher Neighborhood Development Plan to support the proposed town center mixed-use development contained in the amended general development plan.

Project Review

The applicant is requesting approval of a request to rezone an approximately 5.9 acre site from PUD-GDP to PUD-SIP to allow construction of a 58,000 square-foot Copps grocery store in the Grandview Commons Town Center development. The proposed specific implementation plan represents the first phase of development of the amended and expanded general development plan for the Grandview Commons neighborhood center approved earlier this year, which calls for 109,000 square feet of retail and office space including the proposed grocery store, a 24,000 square-foot public library, and up to 110 multi-family residential units on the north side of Cottage Grove Road (CTH BB) on both sides of Gemini Drive, which will be extended between Sharpsburg Drive and Cottage Grove Road to provide access to the amended town center development.

The proposed 58,000 square-foot grocery store will be located at the eastern end of the mixed-use town center. The grocery store will face to the west, with approximately 300-foot long walls along the western front and eastern rear walls. The building will extend approximately 200 feet in length along Cottage Grove Road. The exterior of the proposed grocery store will primarily be constructed of brick and cultured stone veneer above a decorative block base, with EIFS and corrugated metal panels proposed along the top third of the facades. Raised elements are proposed to denote the store entrance along the western wall and at the southwestern and southeastern corners to provide visual interest to the building. In addition to significant amounts of vision glass along the western front façade, the design of the building also incorporates vision glass along portions of the side and rear facades, with metal sun shades proposed along the southern, Cottage Grove Road elevation. Entry doors are shown along the northern and southern facades of the projecting entry feature along the western wall, with outdoor seating areas proposed adjacent to the two entrances along a wide walkway that will parallel the front wall and connect to public sidewalks along Cottage Grove Road and Big Dipper Drive.

Access into the grocery store portion of the town center development will be provided from a driveway from Cottage Grove Road that will parallel the front wall of the building and from two driveways into the site from extended Gemini Drive. Vehicles entering the grocery store site from the southern of the two Gemini Drive entrances will be diverted to the north or south of an approximately 40-foot wide landscaped walkway that will extend west from the grocery store entrance through the remainder of the town center development between Gemini Drive and North Star Drive. Parking for the grocery store will be provided in 288 spaces primarily located west of the store on either side of the central landscaped walkway. The remaining stalls will be located between the north wall of the building and extended Big Dipper Drive, which forms the northern boundary of the proposed 5.9-acre subject site. The entire parking field shown on the subject specific implementation plan will be constructed with the grocery store and will also provide parking for the future public library and two approximately 3,800 square-foot pad site buildings to be built along the east side of Gemini Drive, including the proposed "C3" building addressed as 5925 Sharpsburg Drive, which is also proposed for PUD-SIP approval on this agenda (ID 28117). Loading for the grocery store will be located along the eastern wall of the building and will include two loading bays that will face to the north. Access to the loading area and secondary access to the 70 parking stalls proposed north of the store will be provided by a partial-access driveway from Cottage Grove Road at the southeastern corner of the site. A partially enclosed trash compactor is also proposed along the eastern wall of the store.

The applicant has submitted a substantial and well-designed landscaping plan for the 5.9-acre subject site that includes raised planters, an arbor, and seating areas along the central walkway, layered landscaping and decorative metal fencing along Cottage Grove Road, and layered landscaping and decorative walls along the northern edge of the site adjacent to the Big Dipper Drive sidewalk. The landscaping plan also incorporates the existing trees located west of the telephone switchgear shed located west of the Cottage Grove Road entrance to the grocery store, which were required to be preserved by a condition of approval of the amended general development plan. Finally, the landscaping plan also includes the landscaped buffer and terrace wall proposed along the eastern edge of the grocery store site adjacent to the future single-family lots proposed to the east on Kilpatrick Court (see the final plat of Town Center Addition to Grandview Commons, ID 28256 on this agenda).

The applicant proposes that the Copps store be open from 6:00 AM to 11:00 PM daily, which is consistent with the operating hours of most of its other store locations, including a number around the City and surrounding area. The letter of intent submitted with the specific implementation plan indicates that no delivery, loading, and trash removal or compaction will occur between 9:00 PM and 7:00 AM. The letter of intent and zoning text also include limits on truck idling during loading operations at the store intended to limit noise and exhaust impacts from delivery vehicles.

Analysis & Conclusion

The Planning Division believes that the specific implementation plan for the 58,000 square-foot grocery store conforms substantially to the Grandview Commons Town Center General Development Plan as amended in March 2012, and further believes that the proposed PUD-SIP zoning can meet the criteria for planned unit developments.

In addition, Planning staff believes that the grocery store specific implementation plan satisfies the applicable conditions added by the Common Council as part of its approval of the Amended PUD-GDP zoning approval. Those conditions included:

- Prior to or concurrent with, the Specific Implementation Plan (SIP) for the grocery store being recorded and building permits issued, an SIP shall be approved and recorded and building permits issued for one other building in the town center (other than the library) on the B or C blocks.
- At the time of submittal of the first SIP, the developer and property owners shall evaluate the size, placement and orientation of Buildings C2 and C3 with the goal of increasing their presence along Gemini Drive and the pedestrian corridor extending from the entrance of the grocery store through the B and C blocks.
- Preserve the existing mature trees west of the phone switch along Cottage Grove Road.
- At the time of submittal of the first SIP, the developer and property owners shall create detailed screening and landscape treatments along Cottage Grove Road.

The first condition is being addressed separately through the concurrent review of the proposed "C3" commercial building at 5925 Sharpsburg Drive, which is also proposed for PUD-SIP approval on this agenda (ID 28117). Per the second condition, the review of the design of the C3 building is included in the separate staff report for that project. The landscaping plan for the grocery store includes the preservation of 1 deciduous tree and 3 evergreen trees west of the telephone switchgear building west of the proposed Cottage Grove Road driveway, and augments those preserved trees with 2 new evergreen trees, 1 ornamental tree, 1 deciduous shade tree and various shrubs and perennials as part of the layered landscaping proposed along the Cottage Grove Road frontage of the subject site.

Staff is aware of concerns expressed by the McClellan Park Neighborhood Association and other nearby residents about various design and operational elements of the proposed grocery store. A letter dated November 5, 2012 addressed to the Urban Design Commission is attached, which was also copied to the Plan Commission, Mayor Soglin and certain City staff. Included in the letter is a request to fully enclose the loading dock and trash compactor area proposed along the eastern rear wall of the store, a request to limit the hours of store operation and deliveries, and requests regarding tree preservation, installation of traffic calming, and lighting standards. The Plan Commission should give careful consideration to the requests contained in the November 5 letter, including the full enclosure of the loading and compactor facilities and hours of operation, in making its recommendations on the PUD-SIP to the Common Council.

Because the proposed grocery store will exceed 40,000 square feet of gross floor area, it is also required to be reviewed against the standards for large retail establishments found in Section 33.24(4)(f) of the Urban Design Commission Ordinance, which were adopted in 2005 to provide standards for such retail developments. Planning staff reviewed the proposed grocery store against the large retail establishment provisions as part of the Urban Design Commission's (UDC) review of the project (see attached staff memo dated October 17, 2012). The UDC granted initial approval of the specific implementation plan on October 17 and final approval on November 7, 2012. As part of its final approval recommendation, the UDC determined that the proposed grocery store met the large retail establishment design regulations subject to the conditions contained in the attached UDC reports.

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 recommend **approval** to the Common Council of Zoning Map Amendment ID 3632, rezoning 6002 Cottage Grove Road from PUD-GDP to PUD-SIP, subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

1. That the specific implementation plan be revised per Planning Division approval prior to recording and the issuance of building permits for the grocery store as follows:
 - 1a. Revise the Signage section of the zoning text to state: "Signage for the project shall be limited to the maximum permitted in the C2 zoning district, and as approved by the Urban Design Commission or its secretary, and the Zoning Administrator";
 - 1b. Identify tree 6 on the November 7 tree preservation plan, which is shown to be preserved, on the final landscaping plans;
 - 1c. Include a detailed plan for the outdoor sales and display areas shown on the plan, including their outer dimensions. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. The final zoning text for the grocery store shall specifically identify the materials to be sold or displayed in those areas.
2. A detailed plan shall be submitted for approval by the Planning Division in consultation with the Building Inspection Division that shows how noise from rooftop mechanical units will be minimized prior to recording of this PUD-SIP and issuance of building permits for the grocery store. The plan shall include information on the noise generated by the proposed rooftop equipment under regular operating conditions (measured in decibels) and the mitigating impact any proposed acoustical screens will have (measured in decibels) adjacent to the screen, at the roof parapets, and at the adjacent property lines. The goal of this plan will be to meet or exceed the minimum noise limits applicable in MGO Section 24.08, which generally limit noise emitted from a stationary source to 65 dBA at a residentially zoned receiving zone as defined in said ordinance section.
3. Per MGO 33.24(4)(f)13, no delivery, loading, trash removal or compaction, or other such operations shall be permitted between the hours of 10:00 PM and 7:00 AM unless the applicant submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level of 45 decibels or less, as measured at the lot line of any adjoining property.
4. That no outdoor sales, display or seasonal storage occur in any of the parking areas of the proposed grocery store.
5. Pursuant to the recommendation of the Urban Design Commission on November 7, 2012, the applicant shall revise the specific implementation plan for the grocery store to preserve tree 3 along the northern edge of the proposed parking lot and preserve tree 4 if possible. Preservation of these trees should take into consideration staff's desire to maintain a minimum 5-foot wide unobstructed walkway between the adjacent edge of parking and northern property line to safely convey pedestrians to the future City library to the north and the developer's obligation to provide 16 parking stalls for the library per an existing agreement with the City.

6. Note: Per a condition of the general development plan approval, any proposed non-compete clauses or private land use restrictions are required to be submitted for approval by the Plan Commission and Common Council. The goal of this condition was to ensure that any such non-compete clauses or private land use restrictions not limit the ability for the approved general development plan for the mixed-use town center to be implemented to the fullest extent possible. To enforce the general development plan condition, the City could consider a restrictive covenant against the proposed town center lots as part of its review of any non-compete clauses or private land use restrictions. Staff believes, however, that the review authority to enforce this general development plan condition can be delegated to the Director of the Department of Planning and Community and Economic Development.

The following conditions have been submitted by reviewing agencies:

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

7. All appropriate conditional approval comments for the concurrent Town Center Addition to Grandview Commons final plat application and the related PUD-SIP rezoning for 5925 Sharpsburg Drive shall be completed and the final plat recorded with the Register of Deeds upon final City rezoning approvals for this development and prior to issuance of building permits for any of the new platted lots that are to be created.
8. The applicant shall meet with City Engineering and Traffic Engineering staff to determine the contractual requirements for the improvements that are being proposed for this application, the application for the final plat of Town Center Addition to Grandview Commons plat and the PUD-SIP rezoning of 5925 Sharpsburg Drive. This application may require a developer's agreement for the public infrastructure necessary to install the improvements to serve the project, unless the improvements are to be covered under the related and concurrent applications.
9. The private sidewalk connection from proposed Kilpatrick Lane to this property shall be considered a Type V sidewalk, which is privately owned and maintained.
10. The developer shall execute a waiver for hearing and notice of assessments related to the reconstruction of Cottage Grove Road.
11. The applicant shall dedicate additional right of way on Cottage Grove Road for the necessary sidewalk easements for the proposed 8-foot wide sidewalk, and construct the required sidewalk and terrace improvements, as approved by the City Engineer and City Traffic Engineer
12. The proposed sidewalk connection and retaining walls for this project are designed on adjacent Outlot 32 of the proposed Town Center Addition to Grandview Commons subdivision plat. A maintenance agreement shall be recorded at the Register of Deeds outlining the maintenance rights and responsibilities for these improvements. Any necessary private easements needed shall be included with the plat sign off process.
13. The developer is proposing to install public water and sanitary sewer for this development. Dedication of public easements shall be coordinated with the final plat. Access easements for maintenance across the parking areas will be required if these improvements are outside of the public right of way.

14. The applicant shall coordinate all construction with the City's proposed Cottage Grove Road reconstruction project scheduled for 2015.
15. The applicant shall be responsible for the completion of the improvements adjacent to the existing Doric Lodge site, which include the construction of curb and gutter, street, sidewalk public and private utilities. The applicant shall meet with City staff to determine the cost sharing requirements for the Cottage Grove Road reconstruction for improvement beyond those required for the frontage of the Doric Lodge site, to accommodate the development of the proposed grocery store.
16. The construction of this development will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
17. This development is subject to impact fees for the Door Creek North– Phase 2 Sanitary Sewer and Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued (per MGO Ch. 20). The following note shall be placed on the face of the plans and final plat:

"Lots / buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
18. The applicant shall make improvements to Cottage Grove Road in order to facilitate ingress and egress to the development. The improvement shall include turn lanes and median improvements.
19. The approval of this development does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
20. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
21. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
22. All work in the public right of way shall be performed by a City-licensed contractor.

23. All damage to the pavement on Cottage Grove Road adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
24. 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.
25. 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.
26. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites, with over 1 acre of disturbance, for stormwater management and erosion control has been transferred to the Wisconsin 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 NR-216 and NR-151 but a separate permit submittal is now required by the WDNR for this work as well. The City cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

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 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.

27. Prior to final 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) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; 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 Chapter 37 of the Madison General Ordinances.
28. 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.
29. 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. 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.
30. 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.

31. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. (Per MGO 37.05(7))
32. 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 Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.

Traffic Engineering Division (Contact Dan McCormick, 267-1969)

33. Consistent with the general development plan, the specific implementation plan shall be modified for and contain a number of improvements to adequately support the development, City concerns, and multimodal options.
34. The applicant will shall enter into a developer's agreement contract with the City to pay for and provide the necessary improvements and roadway modifications that are required to support the proposed development, prior to final approval. The applicant may need to make improvements to public streets considered temporary until such time as the ultimate improvements are undertaken.
35. To address concerns with traffic impacts on adjoining neighborhood streets, the developer shall be responsible for entering into a developer's agreement and contract with the City. The developer shall develop a street re-design and/ or traffic calming design in cooperation with the neighborhood(s) and shall enter into a private contract with the City for the subject street's reconstruction and/ or package of treatments. These would be reviewed and approved by the Board of Public Works as a private development requirement. A deposit and surety is to be required as a failsafe if the developer isn't able to perform this work. This approach would be similar to the developer installing new streets like Gemini Drive and temporary changes on Cottage Grove Road. The subject streets are Sharpsburg Drive (Gemini Drive to McLean Drive); Sharpsburg Drive (McLean Drive to McClellan Drive), and; McLean Drive (Cottage Grove Road to Cottontail Trail). It is recommended the developer conduct sufficient meetings with the neighborhoods and alders, first to gain input and second for review and comment. Following these public meetings the City's Board of Public Works shall review and approve the recommended design(s) in order for the developer and City to proceed to developing final engineering plans and specifications. The recommended improvements shall be implemented such that they are in place when the store opens in 2014 or shortly thereafter.
36. The applicant shall provide a considerable deposit for signing and marking for new traffic control measures, including on Sharpsburg Drive and its intersections with Gemini Drive and North Star Drive. This includes money for stops signs, parking, crosswalks and bike lanes.
37. The applicant shall work with Planning, City Engineering and Traffic Engineering staff to develop an interim construction plan for Cottage Grove Road for the development until Cottage Grove Road is reconstructed in the future (currently planned for 2015). This shall include installation of widened, minimum 8-foot wide sidewalk, shared use path like the one installed along University Avenue. This shall also include wider crosswalk ramps and markings at the intersections of McLean Drive and Gemini Drive. The agreed upon reconstruction shall be in place when the store opens in 2014.

38. The applicant shall work with Planning, City Engineering and Traffic Engineering staff to develop and install Gemini Drive. Its right of way shall be 80 feet wide with a 44-foot wide street, a 14-foot wide terrace on the west side, and a 20-foot wide terrace on the east side. The 20 feet shall include a 6-foot sidewalk, 8-foot cycle track, and 6-foot tree/sign terrace.
39. The applicant shall work with Planning, City Engineering and Traffic Engineering staff to develop and secure a site plan to provide a 20-foot wide walkway along the grocery storefront from Cottage Grove Road to the central walkway and Big Dipper Drive. The 20 feet shall include a 6-foot sidewalk, 8-foot cycle track, and 6-foot tree/sign terrace.
40. The site's northern walkway needs to provide a 3-5-foot wide terrace and buffer plus an 8-foot sidewalk for shared use (to be connected from the property's eastern edge to the library and Gemini Drive).
41. Final details of the site plan parking lot and drive aisle widths/ dimensions shall be finally reviewed and approved by the Traffic Engineer. Some drive lanes may need to be widened and/or relocated.
42. To increase pedestrian accommodations, all intersections of the site parking facilities with public streets shall be driveway-type connections, so the pedestrian sidewalk is elevated across the lanes.
43. Prior to final approval, the applicant shall be responsible for securing all proper permits and approvals for driveway approaches and proposed median breaks onto Cottage Grove Road (CTH BB) from the Dane County Highway and Transportation Department. The applicant shall provide copies of all approved permits to the Traffic Engineering Division prior to approval of plans.
44. The applicant will need to demonstrate how the truck service will ingress the truck loading area off of Cottage Grove Road as well as maneuver through the site and egress back onto Cottage Grove Road.
45. The applicant shall be responsible financially to maintain pavement markings and signage as approved by the City Traffic Engineer. The applicant shall at all times maintain crosswalks, stop bars and lane lines, and signage. The applicant shall show, lane dimensions, lane line color and width according to the Federal Highway Administration "Manual On Uniform Traffic Devices." in epoxy for lane lines, 12-inch cross walk lines, 24-inch stop bars, pavement markings details and signage to as approved by the City Traffic Engineer. In addition, a note shall be shown on the plan, "All pavement markings shall be installed in epoxy and maintained by the property owner."
46. The applicant shall be required to provide any necessary easements for the installation of street lights and traffic signals, including control boxes, loops, hand-holes, markings and signing.
47. 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, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1"=20'.
48. 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.

49. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible. If the internal street is to be public, the developer shall provide an upfront capital fee for the annual upkeep and maintenance, to be determined by the Traffic Engineer.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not submit comments for this request.

Zoning Administrator (Contact Pat Anderson, 266-5978)

50. Show addresses of the buildings on the building footprint of the site plans. Show the gross square footage of the buildings on the plans.
51. Meet all applicable State accessible requirements, including but not limited to:
- a.) Provide a minimum of seven (7) 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. The remainder of the accessible stalls shall have a 5' striped out area adjacent to the stall.
 - b.) Show signage at the head of the stalls.
52. Provide three (3) 10' x 50' loading areas with 14 feet of vertical clearance on the final plans. The loading area shall be exclusive of drive aisle and maneuvering space. Call out and dimension these areas and sign the loading areas. Vehicles cannot encroach into the loading area or the 24-foot drive aisle.
53. Lighting is required and shall be in accordance with MGO Section 10.085. Provide a lighting plan showing that the maximum light trespass shall be 0.5 fc at 10 feet from the adjacent lot line. (See City of Madison Lighting Ordinance for more information).
54. Provide 30 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 2 feet by 6 feet with a 5-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
55. Provide a detailed landscape plan showing species and sizes of landscape elements. For parking lot plans with greater than 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.
56. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Section 31. Signage must be approved by the Urban Design Commission and Zoning Office. Sign permits must be issued by the Zoning Office of the Department of Planning and Community and Economic Development prior to sign installation.

Fire Department (Contact Bill Sullivan, 261-9658)

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)

57. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.