



PREPARED FOR THE PLAN COMMISSION

Project Address: 7313 Mineral Point Road (9th Aldermanic District – Ald. Skidmore)
Application Type: Conditional Use
Legistar File ID # [60464](#)
Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, Principal Planner

Summary

Applicant & Property Owner: Andrew Goodman; GMX Real Estate Group, LLC; 3000 Dundee Road, Suite 408; Northbrook, IL 60062
Contact Person: Scott Shust; JTS Architects; 450 E Higgins Road, Suite 202; Elk Grove Village, IL 60007

Requested Actions: Consideration of a conditional use in the Commercial Center (CC) District for a major alteration to a planned multi-use site containing more than 40,000 square feet of floor area and where 25,000 square feet of floor area is designed or intended for retail use to allow construction of a one-story, approximately 7,000 square-foot commercial building at 7213 Mineral Point Road.

Proposal Summary: The applicant is requesting approval to construct a one-story, roughly 7,000-square-foot, multi-tenant commercial building on the north side of the West Towne Mall, along Mineral Point Road. The applicant proposes to commence construction in the summer of 2020 with completion anticipated in late 2020.

Applicable Regulations & Standards: This proposal is subject to the standards for Planned Multi-Use Sites [M.G.O. §28.137(2)(e), and the Commercial Center (CC) zoning district [M.G.O. §28.068]. It is also subject to the approval standards for Conditional Uses [M.G.O. §28.183(6)]. Table 28D-2 in §28.061 of the Zoning Code identifies general retail as a permitted use in the CC (Commercial Center) zoning district.

Review Required By: The Urban Design Commission and the Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional use in the Commercial Center (CC) District - for a major alteration to a planned multi-use site containing more than 40,000 square-feet of floor area and where 25,000 square-feet of floor area is designed or intended for retail use - to allow construction of a one-story, approximately 7,000 square-foot commercial building at 7213 Mineral Point Road. This recommendation is subject to input at the public hearing and the conditions from reviewing agencies.

Background Information

Parcel Location: The project site is roughly 29,960 square-feet (0.69 acres) in size and is located on the north side of the West Towne Mall complex, along the Mineral Point Road frontage. It is located just east of the mall’s entrance, which lies directly across from S. Westfield Road. It is also located within Aldermanic District 9 (Ald. Skidmore) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is currently vacant and it almost entirely paved. It currently is accessed from the south (from the private West Towne Mall ring road) as well as from the site to the east (the sites share cross connections). The subject site and the rest of West Towne Mall are zoned CC (Commercial Center District).

Surrounding Land Uses and Zoning:

- North: Across Mineral Point Road is an Old National Bank in the Suburban Employment (SE) District;
- South: Across the private ring road is the JCPenney Department Store beyond which is the rest of the West Towne Mall, all in the Commercial Center (CC) District
- East: Firestone Auto Care in the CC District; and
- West: Across the private drive aisle are two pad buildings – a Bonefish Grill and a Jason’s Deli – both are in the CC District.

Adopted Land Use Plans: The 2018 [Comprehensive Plan](#) identifies the subject site and the overall West Towne Mall complex for Regional Mixed-Use (RMU).

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

Requirements	Required	Proposed
Front Yard Setback	85’ maximum	20’
Side Yard Setback	One-story: 5’	Adequate
Rear Yard Setback	The lesser of 20% of lot depth or 20’	Adequate
Maximum Lot Coverage	85%	Less than 85% <i>(See Comment #27)</i>
Maximum Building Height	5 stories/ 68’	One-story/ 20’
Maximum Lot Coverage	Existing (97%)	90%
Maximum Building Height	5 Stories/68 ft.	21 ft.
Lot Area (sq. ft.)	N/A	411,724
Lot Width	N/A	260 ft.

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	41
Accessible Stalls	Yes	2
Loading	Not required	None
Number Bike Parking Stalls	General retail; service business; office: 1 per 2,000 sq. ft. floor area (3)	6 <i>(See Comment #28)</i>
Landscaping and Screening	Yes	Yes
Lighting	Yes	Yes
Building Forms	Yes	Free-standing commercial building <i>(See Comments #24 & #25)</i>

Other Critical Zoning Items:	Urban Design (Planned Multi-Use Site); Barrier Free (ILHR 69); Utility Easements
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Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located in a mapped environmental corridor.

Public Utilities and Services: The subject site and the West Towne Mall are served by a full range of urban services, including seven-day Metro Transit service, which currently operates along Mineral Point Road with stops in the Westfield Road intersection (i.e. immediately adjacent to the subject site). Prior to service reductions put in place during March of 2020, trips operated at least once every 30 minutes on weekdays, but only passed once an hour each direction on weekends.

Project Description

The applicant is requesting approval of a conditional use for a major alteration to a planned multi-use site containing more than 40,000 square-feet of floor area and where 25,000 square-feet of floor area is designed or intended for retail use.

The applicant plans to construct a one-story, 7,000-square-foot commercial building, with two tenant spaces, at the northwest corner of the site. Forty-one surface parking stalls will be located to the building's east and south. Each tenant space will have entry doors on both the north and south facades. These entries will be accessed via a sidewalk which is proposed to run around the building's northern, eastern, and southern facades and connect at two locations to the public Mineral Point Road sidewalk. The connections will be via a staircase, located to the northeast of the building or via an ADA-compliant sidewalk, located along the west of the building. Staff note that the site is immediately adjacent to the Mineral Point Road Metro stop which, due to nearby route consolidations, now serves as the primary stop for the northern and western sides of the mall.

The building will be 18 to 20 feet tall with architecture and materials differentiating the two tenant spaces. The western tenant will have a flat roof and flat aluminum canopy and be clad with a dark brown composite lap siding, portions of brick flanking the aluminum storefront windows located beneath the canopies, and stone for the base. The eastern half of the building will have an arching pediment on the northern and southern facades and will be clad with sand-colored EIFS paneling for the upper portions, and brick and stone for the lower portions. Note: Zoning is requiring them to reduce the amount of EIFS as the Zoning Code only allows it for use as a trim or accent material or at the top of building. While most of the windows have clear glass, there is some spandrel glass proposed – a large amount on the northern façade and a small amount on the southern façade.

Analysis and Conclusion

This proposal is subject to the standards for Planned Multi-Use Sites [M.G.O. §28.137(2)(e), and the Commercial Center (CC) zoning district [M.G.O. §28.068]. It is also subject to the approval standards for Conditional Uses [M.G.O. §28.183(6)]. Table 28D-2 in §28.061 of the Zoning Code identifies general retail as a permitted use in the CC (Commercial Center) zoning district.

Conformance with Adopted Plans

The 2018 [Comprehensive Plan](#) recommends Regional Mixed-Use (RMU) for the subject sites and surrounding areas. With a general height range between two and 12 stories, RMU areas are generally intended to be the most intensively developed areas outside of the Downtown. The plan describes RMU as including *“existing and planned high-intensity centers supporting a variety of multifamily housing options and commercial activity serving the needs of the region. [...] As regional destinations for retail and jobs, RMU areas should be well connected with the adjoining street network and be transit-oriented. Areas should provide an urban environment characterized by a pedestrian friendly public street network, buildings placed close to the sidewalk and street, and should provide pedestrian amenities, such as decorative paving, lighting, plazas, benches, and landscaping.”*

The plan however, acknowledges that both the East and West Towne mall areas may continue to be auto-oriented malls for some time. Further, the plan states that future redevelopment that requires rezoning (which this request does not) should begin the transition to a more pedestrian/bicycle/transit friendly environment with a wider variety of uses. Staff believe that the development of a one-story multi-tenant commercial could be found to be

compatible with the recommendations of the Comprehensive Plan. With the recommended conditions of approval incorporated, Staff believe the proposal will provide an important and needed pedestrian connection from the Mineral Point Road sidewalk and existing Metro bus stop to the existing sidewalk network around the Mall. Note: the aforementioned Metro stop is the proposed location for the future Bus Rapid Transit (BRT) stop which would serve at *the* BRT stop for the entire mall.

Conditional Use Standards

This proposal requires conditional use consideration for a planned multi-use site containing more than 40,000 square-feet of floor area and where 25,000 square-feet of floor area is designed or intended for retail use. The language also specifically notes that such consideration shall occur after review of the design by the Urban Design Commission who shall report its findings to the Plan Commission.

In regards to conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of M.G.O. §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

Staff notes three primary considerations regarding the conditional use standards.

Approval Standard #4 states that, "*The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*" Staff believe that the pedestrian sidewalks along the site's western and southern property lines - which agencies are recommending the applicant to install as part of this project – are critical for the future development of the rest of the West Towne Mall complex given the density and intensity of development of Regional Mixed-Use development uses recommended for this area by the Comprehensive Plan. The location of the subject site represents a key pedestrian linkage – which would connect the Metro stop and Mineral Point Road to the Mall's existing pedestrian network – which is currently missing.

Approval Standard #5 requires that, "*Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided.*" Staff believe the pedestrian sidewalks along the perimeter of the site are necessary to 1) promote safe pedestrian movements in and around the subject site, and 2) to serve more intensive, future development of the greater West Towne Mall complex.

Staff believe that the provision of the sidewalks described above are necessary to meet Approval Standards #4 and #5.

In regards to building aesthetics, Conditional Use Approval Standard #9 states that for new construction, the Plan Commission shall find that "*the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district.*" Staff note that the Urban Design Commission (UDC) reviewed this request and, at their May 27, 2020 meeting, gave the project a recommendation of initial approval and noted the following concerns:

- *The location of the back-of-house elements.* The UDC was concerned about the fact that the back-of-house elements of the building are located along the northern façade (i.e. along the building's primary street-facing façade). The elements however were concealed from view by the significant use of opaque, spandrel paneling (see related comment below). The applicant is exploring alternatives for this aspect of the design.

- *Glazing issues.* Relatedly, the UDC was concerned about the large amount of spandrel paneling proposed along the building’s northern façade. This reduction is not only the recommendation of the UDC but a requirement of the Zoning Code. Section 28.060(d) limits the amount of spandrel paneling being used as a substitute for vision glass to 20 percent of the required glass for the primary street façade. The applicant is exploring alternatives for this aspect of the design.

The UDC report from the May 27 meeting is included at the end of this report.

With the initial approval recommendation (and associated conditions) from the Urban Design Commission, and the requirement for the applicant to return for final approval from the UDC before final sign off, Staff believe this Standard could be found met.

Public Input

At the time of report writing, Staff had not received any public comment on this proposal.

Conclusion

Staff believe that the approval standards for conditional uses can be found met.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional use in the Commercial Center (CC) District for a major alteration to a planned multi-use site containing more than 40,000 square-feet of floor area and where 25,000 square-feet of floor area is designed or intended for retail use to allow construction of a one-story, approximately 7,000 square-foot commercial building at 7213 Mineral Point Road. This recommendation is subject to input at the public hearing and the conditions from reviewing agencies.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Urban Design Commission (Contact Janine Glaeser, 243-0455)

1. The applicant shall receive a recommendation of final approval from Urban Design Commission prior to final staff sign-off by addressing the issues identified by the UDC when initial approval was obtained. The action of the UDC shall be appealable to the Plan Commission. As part of their motion, the applicant shall address the back-of-house/building orientation concerns related to Mineral Point Road and the associated heavy use of spandrel panels along that frontage.

The following conditions have been submitted by reviewing agencies:

City Engineering Division (Contact Tim Troester, (608) 267-1995)

2. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
3. Create a traffic control plan and pavement restoration details for water lateral in Mineral Point Rd.
4. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
5. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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.

6. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

7. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
8. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or troester@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Jeff Quamme, (608) 266-4097)

9. Note: Reciprocal access, utility and drainage easements between this parcel and Penney's (and the mall) are addressed by Doc No. 1239177 Easement, Restriction and Operating Agreement and its subsequent supplements and amendments. Also Doc No 5554769 Reciprocal Easement Agreement with Covenants, Conditions and Restrictions covers drainage between this parcel and Penney's.
10. Per Doc No. 5554767 shared access between this parcel and the Firestone Parcel to the East prohibits delivery trucks from crossing between the parcels. Also, it appears there is not a general cross access easement between this parcel and the Firestone Parcel. Provide a recorded cross access easement for vehicular access between the parcels. If the delivery vehicle restriction is to remain, so state and place a note on the plan noting the restriction.
11. The address of the easterly tenant is 7213 Mineral Point Rd. The address of the westerly tenant is 7217 Mineral Point Rd. Remove references to tenant 100 and 200 on the floor plans. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
12. The West Towne Mall ring road is called West Towne Way. Update all sheets accordingly.

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

13. The applicant shall construct sidewalk, along the Western and Southern frontages of their property adjacent West Towne Way. The sidewalk construction is intended to provide pedestrian access from West Towne Mall to a future Bus Rapid Transit (BRT) station with the ultimate goal of installing sidewalk on both sides on the entirety of the internal ring road and allow pedestrian access to all sites at West Towne. Due to the various property ownerships in the Mall area and the unique way the land has been divided over the years to resemble more of a jigsaw puzzle than our more typical rectangular parcels, construction of sidewalk is intended to take place incrementally, as each site develops. This means in the short term it will look as though we have sidewalks to nowhere but if you look at West Towne as a whole one will see how each development fits with the other to ultimately enact the City's vision of a modern walkable, bikeable, multimodal site. The inclusion of this sidewalk and the opportunity to preserve future connections is necessary to meet Conditional Use Approval Standards (MGO 28.183(6)(a)(5)) which states "Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided" and Design Criteria for Permanent Parking Facilities (MGO 10.08 (6)(a)(16)) which states "Provision shall be made for expeditious and safe movements of pedestrians within the parking facility."
14. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
15. 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.
16. 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.
17. All parking facility design shall conform to M.G.O. standards, as set in section 10.08(6).
18. All bicycle parking adjacent pedestrian walkways shall have a 2-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
19. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.

20. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
21. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
22. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
23. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

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| <ol style="list-style-type: none">24. Work with Urban Design and Zoning staff to minimize the amount of EIFS on the building facades. EIFS is an allowable building material for use as a trim or accent material or at the top of building.25. Reduce the amount of spandrel on the North Mineral Point Road façade to a maximum of 20%. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass that mimics the appearance of windows maybe used for up to twenty percent (20%) of the required area of the openings. |
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26. This project is designed as part of an existing planned multi-use site. Per 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.
 27. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
 28. Bicycle parking for the commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for each use. Provide a minimum of three (3) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.

29. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
30. 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 and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

31. Provide fire apparatus access as required by IFC 503 2018 edition and MGO 34.503. Remove auto-turn references and details as auto-turn is not reflective of actual fire apparatus access needs.
32. MFD recommends providing fire sprinklers in the building to facilitate greater flexibility of possible tenant uses. As designed, a fire separation is required between tenants as separated uses and the restaurant will be limited to less than 100 occupants.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

33. Proposed valve and hydrant relocations shall be valve and hydrant replacements. Designate on the Utility Plan that the removed hydrants shall be salvaged and returned to Madison Water Utility. All water system improvements shall be done in accordance with the requirements of the City of Madison Standard Specifications for Public Works Construction (current edition).
34. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

35. To facilitate City transit planning efforts, the applicant shall identify the accessible pedestrian connection between the existing public sidewalk along Mineral Point Road and the adjoining properties that front along the planned development area's internal Ring Road.
36. In coordination with any public works improvements, the applicant shall maintain or replace the existing concrete boarding pad surface at the bus stop on the south side of Mineral Point Road, east of Westfield Road (#6755).

37. The applicant shall install and maintain a concrete bench pad surface - as part of the private landscape plan - opposite the bus stop zone that is on the south side of Mineral Point Road, east of Westfield Road (#6755). The applicant shall install and maintain a new passenger bench seating amenity in this area, as part of the private landscape plan.
38. The applicant shall include the location of this facilities on the final documents filed with their permit application, so that Metro Transit may review and effectively plan for City transit access to this property.
39. Metro Transit operates daily service along Mineral Point Road with stops in the Westfield Road intersection. Prior to service reductions put in place during March of 2020, trips operated at least once every 30 minutes on weekdays, but only passed once an hour each direction on weekends.

Parks Division (Contact Sarah Lerner, (608) 261-4281)

The agency reviewed this request and has recommended no conditions of approval.

Forestry Division (Contact Wayne Buckley, (608) 266-4892)

40. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.
41. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
42. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
43. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.

AGENDA # 7

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: May 27, 2020

TITLE: 7213 Mineral Point Road – New
Development, Shoppes on Mineral Point.
9th Ald. Dist. (58752)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Janine Glaeser, Secretary

ADOPTED:

POF:

DATED: May 27, 2020

ID NUMBER:

Members present were: Cliff Goodhart, Chair; Lois Braun-Oddo, Christian Harper, Tom DeChant, Jessica Klehr, Shane Bernau, Rafeeq Asad, Syed Abbas and Craig Weisensel.

SUMMARY:

At its meeting of May 27, 2020, the Urban Design Commission **GRANTED INITIAL APPROVAL** of new development located at 7213 Mineral Point Road. Registered and speaking in support were Andrew Goodman, Scott Shust and Scott Digilio, representing GMX Real Estate Group. Goodman presented the site plan, noting easements, cross access, and that this is the only lot in West Towne Mall that they control. They have situated the building based on the location of the storm sewer. A sidewalk has been added to the south side of the building to allow for ADA access. Bike racks are located on the southeast corner of the building. He discussed the renderings, architecture and building materials. They are limited to a 20-foot building height maximum but wanted it to feel like a four-sided building. The landscape plan follows guidelines and uses regional plantings, with Maples and Honey Locusts to cover the parking lot and provide shading, landscaping around the transformer and lined along the new sidewalk.

The Commission discussed the following:

- The back of the building is facing Mineral Point Road.
- In some of the landscape peninsulas between Firestone you had Vinca Major listed, which won't grow here. Vinca Minor would but I would not recommend using that one; the DNR classifies it as invasive. I'd replace Vinca with Prairie Drop Seed, Allium Summer Beauty, or some other non-invasive ground cover or grasses.
- Is there any alternative to spandrel to give that Mineral Point facing façade a non back-of-house look?
- Since it's pretty much a square building I thought if you turned it 90 degrees and oriented it to the east, at least you would have side windows facing Mineral Point. There has to be a back somewhere and that would be on the access drive as you're coming in.
- I like that Cliff.
- I like the comment about orientation. If it's feasible it would solve some issues. The canopies have this blue pronounced line that all follow the exact same datum except for one, and that one is driving me crazy. It should be a different color, it's throwing me off. But I do like the direction it's going.

- It's a lot of ups and downs and ins and outs for a little building.
- I didn't think of the rotation. Depending on what they can do that would take care of the streetside façade issue, which has always been a struggle. Then it orients the back to the essentially entry drive. Otherwise just doing the comparisons from before and after this is a significant improvement.
- By keeping a percentage of glazing, you're constrained to back-of-the-house along your demising wall. I understand your layouts and functionality for the site, but the back is along Mineral Point Road and it's going to be a real struggle in keeping that updated when you do leasing plans. That's based on feedback from other developers in the City.

Goodman addressed orientation, noting that there is a 4-5 foot grade drop from Mineral Point Road to the proposed finished floor elevation of the site. You're not even going to be able to see the lower tier of the building from Mineral Point Road. The elevations appear more pronounced than they are actually going to be because of that grade drop. They spent a lot of time playing with orientation, how to layout the building and orient with the site constraints, get the pedestrian and vehicular traffic to flow naturally through the site; they found this to be the best orientation.

Firchow noted that there are maximum spandrel requirements and other Zoning Code requirements for street oriented entrances and percentages of windows that are clear. The underlying zoning impacts this development.

ACTION:

On a motion by Braun-Oddo, seconded by Weisensel, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a unanimous vote of (8-0). The motion noted the following:

- Address concerns regarding the back-of-house facing Mineral Point Road.
- Reduce the amount of spandrel glazing shown on exterior elevations.