

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT  
Of October 29, 2008**

**RE: LD. # 07720, Conditional Use Application – 1513 Lake Point Drive**

1. Requested Action: Approval of a conditional use for a drive-up window as part of a two-building office-retail development located at 1513 Lake Point Drive.
2. Applicable Regulations: Section 28.09 (3)(d) identifies drive-up service windows as conditional uses in C2 zoning. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

**GENERAL INFORMATION**

1. Applicant & Property Owner: Scott Norton, Norton Building Systems; 5121 Hilltop Lane; Madison.  
  
Agent: Steve Shulfer, Shulfer Architects; 1918 Parmenter Street, Suite 2; Middleton.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been granted.
3. Location: Approximately 3.2-acres generally located 200 feet west of Bridge Road on the north side of W. Broadway and the south side of Lake Point Drive; Aldermanic District 14; Madison Metropolitan School District.
4. Existing Conditions: The applicant is currently constructing 2 two-story multi-tenant office-retail buildings with a total of 38,000 square feet of floor area on the C2-zoned (General Commercial District) site.
5. Proposed Land Use: A drive-up/ thru window for the westernmost first floor retail tenant.
6. Surrounding Land Use and Zoning:  
North: Monona Shores apartments, zoned R4 (General Residence District);  
  
South: WPS Insurance in the City of Monona;  
  
East: Cranberry Creek Cafe, zoned C2 (General Commercial District);  
  
West: Lake Point Terrace apartments, zoned R3 (Single and Two-Family Residence District) and R5 (General Residence District).

7. Adopted Land Use Plan: The Comprehensive Plan identifies the subject site for neighborhood mixed-use development. The West Broadway Redevelopment Area Master Plan recommends this area for mixed-use/ housing and commercial retail uses.
8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

### **STANDARDS FOR REVIEW**

This application is subject to the conditional use standards of Section 28.12 (11).

### **PREVIOUS HEARING**

On October 15, 2007, the Plan Commission referred this conditional use application indefinitely pending the applicant presenting the plans to neighboring interests and providing additional information on the nature and type of proposed operation that would utilize the drive-up window.

### **ANALYSIS, EVALUATION & CONCLUSION**

The applicant is requesting approval of a conditional use to allow a drive-up service window to be provided as part of a two-building office-retail development currently under construction on a 3.2-acre subject site located at 1513 Lake Point Drive, approximately 200 feet west of Bridge Road. The southern edge of the site also abuts W. Broadway, which runs parallel to Lake Point Drive adjacent to the property.

The office-retail development being constructed will include a two-story building on the western half of the lot that will include approximately 8,550 square feet of first floor retail space and approximately 6,500 square feet of second floor office space. A second office-retail building of similar design will include 19,165 square feet of floor area to be located near the center of the lot. The two buildings will be connected to each other by an enclosed second floor walkway. Parking for 125 automobiles will be provided primarily in double-loaded drive aisles to be located between the north walls of the proposed buildings and Lake Point Drive and the south walls and W. Broadway. Access to the proposed office-retail development will be provided by single driveways from both Lake Point Drive and W. Broadway.

The westernmost first floor retail space in the western building will be occupied by a Dairy Queen Grill and Chill restaurant, which is requesting a drive-up service window along the building's western wall. A southbound queuing lane will parallel the western wall, with a menu

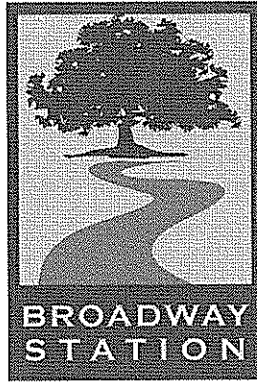
board adjacent to the northwestern corner of the building. The applicant indicates that the restaurant will operate seven days a week from 10:30 AM to 10:00 PM.

In reviewing the conditional use standards against the drive-up window proposal, the Planning Division believes that the standards can be met. The proposed drive-up window should have minimal impacts on the nearby residential properties to the north and west. The drive-up window will be approximately 70 feet from the western property line and will be over 200 feet from the nearest residential building in the multi-family development to the west. The proposed 10:00 PM closing time for the drive-up window seems appropriate initially given the residential uses nearby. Additionally, the applicant indicates that he has discussed the restaurant operation and drive-up with the alder and that the alder has discussed this with neighborhood representatives.

When completed, the office-retail development project will provide the revitalized Broadway-Lake Point residential area with a neighborhood-oriented center as generally recommended for the site by the Comprehensive Plan and West Broadway Redevelopment Area Master Plan. The project generally complies with the underlying C2 commercial zoning, which allows all but the proposed drive-up service window as permitted uses.

### **RECOMMENDATION**

The Planning Division recommends that the Plan Commission find the conditional use standards are met for a drive-up service window as part of a two-building office-retail development located at 1513 Lake Point Drive, subject to input at the public hearing and comments from reviewing agencies.



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804 Stoney Hill Lane Cottage Grove, WI 53527

Oct-6-08

City of Madison Planning Dept.  
Re: Conditional use Application.

Planning Staff and City Alders,

Thank you for the consideration of the Conditional Use application for 1513 Lake Point Dr. for the purposes of a Dairy Queen Grill and Chill a drive through ice cream establishment. The hours of operation for the establishment will be open seven days (7) per week and beginning operation at 10:30 am daily and closing at 10:00 PM in the evenings. The Franchise will be locally owned and operated. Because of the local management and control it will be much easier to have open communications with the City and the Neighborhood, should any concerns arise in the future. We have neighborhood support as well as Alder representative support. We ask for your support with the request. Feel free to contact us with any questions you may have.

Scott Norton  
Broadway Station LLC