



Wednesday, May 20 2020

City of Madison  
Planning Division  
Madison Municipal Building, Suite 017  
215 Martin Luther King, Jr. Blvd.  
P.O. Box 2985  
Madison, WI 53701-2985  
Attention: Chris Wells

Re: Rezoning 160 Westgate Mall to Planned Development

Dear Members of the Urban Design Commission, Plan Commission, and Common Council:

Please accept this Letter of Intent, Application and plans as our formal request for approval to rezone the above listed property from Commercial Corridor to Planned Development. JT Klein is requesting the approval of the General Development Plan and the Specific Implementation Plan for the senior, workforce and market rate housing. The Specific Implementation Plan for the future office, medical office, or clinic will occur at a later date.

**Team**

Developer: JT Klein  
818 South Park Street  
Madison, WI 53715  
Jacob Klein  
[Jacob@jtklein.com](mailto:Jacob@jtklein.com)

Architect: Knothe Bruce Architects  
7601 University Ave STE 201,  
Middleton, WI 53562  
Kevin Burow  
[Kburow@knothebruce.com](mailto:Kburow@knothebruce.com)

Civil Engineer: D'Onofrio Kottke and Associates, Inc.  
7350 Westward Way  
Madison, Wisconsin 53717  
Bruce Hollar  
[bhollar@donofrio.cc](mailto:bhollar@donofrio.cc)

Landscape Architect: Olson Toon Landscaping, Inc.  
3570 Pioneer Road  
Verona, Wisconsin 53593  
Brad Fregein  
[Brad@olsontoon.com](mailto:Brad@olsontoon.com)

## Existing Conditions

The Westgate Mall opened in 1969 and was Madison's first mall with tenants such as the J.C. Penney and Montgomery Ward department stores and the S.S. Kresge grocery store. It has been in decline for many years and, with increasing vacancies and its expanse of parking devoid of landscaping, is now considered an eyesore. Westgate is now completely vacant after the final tenant closed earlier this year.

## Staff and Neighborhood Input

The development team has met with city planning, zoning, and engineering staff four times over the last five months starting in December, 2019. In addition, they have met separately with the Parks Department to discuss the project's connections to Odana School Park as well as potential improvements in the park (pedestrian path, playground) and have met twice with the traffic engineering. The development team has held three well attended neighborhood meetings as well as presenting at Midvale Heights Community Association meeting. The first neighborhood meeting and the MHCA meeting were held face to face. After the Safer at Home declaration, the development team created a website ([www.jtkwestgate.com](http://www.jtkwestgate.com)) and the second neighborhood meeting was a self-directed presentation posted on the website with an accompanying survey. The third neighborhood meeting was recently held on ZOOM. In addition, plans and comment cards were posted at the Westgate Mall entrance for both the second and third neighborhood meetings. Neighborhood comments, questions, and development team answers for all neighborhood meetings are located on the website.

## Project Overview

The project is a Planned Development (PD) that will be constructed in phases. Specific Implementation Plans (SIP) for the first three phases contain a mix of housing types including market rate (234 units), senior affordable (161 units), and workforce housing (71 units) in four to five story buildings; the parking ratio will be one to one. A future phase, within the General Development Plan (GDP), at the corner of Tokay Boulevard and Whitney Way will include a three to eight story office, medical office or clinic, establishing a mix of uses for the project. The proposed high density on the site responds to the accessibility of multiple modes of transportation, including Whitney Way and the Beltline, the existing Metro service served by the West Transfer, and the future East/West Bus Rapid Transit Line.

The project includes a new north/south private street, green space and gathering areas for residents and the community to the south and a direct connection to Odana School Park to the east. JT Klein is working with the City of Madison Parks Department and the Parks Foundation on the development of a new playground within the park, at the developer's expense. In addition, there is a placeholder on the site for public art on the west end of the green space which will be made available for the City of Madison's recently announced COVID-19 Municipal Art Fund Initiative.

The landscape concept focuses on usable greenspace with native plantings for residents of the newly constructed buildings, as well as residents of the surrounding neighborhood. A pedestrian corridor, with central lawn panel and public seating areas, is designed to encourage movement through the adjacent neighborhood park as well as the existing Hy-Vee grocery store and local businesses. Tree lined entrance drives and walkways are punctuated with flowering woody shrubs, ornamental grasses and perennial flowers.

Stormwater management will follow the new City guidelines for redevelopment that will be adopted soon. Overall, this development will introduce close to 20% more greenspace than the current condition which will help lower the amount of runoff generated. Below grade detention chambers will be installed beneath the greenspace and the parking lot between the senior buildings to detain, treat and provide infiltration. Buildings will not be at risk of

flooding, however, if the storm system becomes overloaded as the runoff would be routed south and east towards South Segoe Road and Odana Road.

The future office, medical office, or clinic, to be located at the corner of Whitney Way and Tokay Boulevard, will be designed at a future date. For the purposes of the GDP, the building will range from three to eight stories and will be approximately 60,000 to 260,000 square feet in size. It will be accessed off of Whitney Way to the west and the new north south street to the east. The building will be served by both surface and structured parking.

### Phasing

SIP, Phase I, includes 153 units market rate and 83 units independent senior living that will be completed in 2022. SIP, Phase II includes the 78 units of workforce housing and 71 units of affordable/market rate independent senior living that will be completed in 2023. SIP, Phase III, includes the 79 units of market rate that is planned to be completed in 2024 or later. The timing for the completion of the GDP phase that includes the 96,000 - 256,000 SF office, medical office, or clinic is yet to be determined.

### **Relevant City of Madison Planning Documents**

According to the 2018 *Imagine Madison Comprehensive Plan*, the proposed land use for the site is Regional Mixed-Use (RMU). RMU areas are mapped close to the junctions of major streets, along major roads, close to highway interchanges, and along existing and planned high frequency/high capacity public transit routes. RMU districts have the following attributes:

- High-intensity centers supporting a variety of multifamily housing options and commercial activity serving the needs of the region.
- Typically include large-scale sites supportive of multistory buildings (2-12 stories).
- Parking should be located behind buildings, underground, in parking structures, or screened from the street.

The *Midvale Height/Westmorland Neighborhood Plan* (2009 update) recommends the following for the redevelopment of the Westgate Mall:

- Encourage future redevelopment opportunities that respect the current neighborhood character and support evolving neighborhood form and vitality.
- Create increased housing options by encouraging mixed-use development at locations identified for redevelopment.
- Link all new commercial land uses to the adjacent neighborhoods through pedestrian and bicycle connections.

### **Zoning**

#### Current Zoning

Commercial Center (CC)

#### Proposed Zoning

Planned Development. Please see Exhibit A for the GDP/SIP zoning text.

### **Construction Schedule**

The 153 units of market rate and 83 units of senior independent living will begin construction in the spring of 2021. The 78 units of workforce housing and the 71 units of affordable/market rate independent senior living will begin construction in the spring of 2022. The 79 units of market rate housing will begin construction in 2023 or earlier

dependent on market demand. Finally, the schedule for the construction of the approximately 60,000 - 260,000 SF office, medical office, or clinic is not yet determined, and will require SIP approvals.

### **Sustainability**

The housing will be built to exceed 200 points on Wisconsin Green Built Checklist and will include a 30kw solar PV system, LED lighting, Energy Star Appliances, a high efficiency HVAC system, and low flow water valves. The building envelope will be highly efficient and will exceed the State of Wisconsin Department of Safety & Professional Services Building Envelope Requirements by, at minimum, 2%. The concrete materials from the demolition of the existing Westgate Mall will be crushed and recycled on site.

The landscape plan will emphasize lower maintenance plantings and the use of native species and those offering multi-season interest. A community butterfly garden will be planted and maintained at the base of the path to Odana School Park. The development will improve the amount of greenspace by approximately 20% over the current condition. The stormwater management system, which includes two underground storage tanks, is designed to release water on a controlled basis.

### **Lot Coverage**

- Total Lot Area for GDP (Lots 2, 3, 4, 5, & 6) = 416,064 square feet
- Total Lot Area for SIPs (Lots 2, 4, 5, & 6) = 291,481 square feet
- Impervious Area for SIPs (Lots 2, 4, 5, & 6) = 200,993 square feet
- Pervious Area for SIPs (Lots 2, 4, 5, & 6) = 90,488 square feet

### **Densities for Lots 2, 4, 5, & 6**

- Dwelling Units = 464 Units
- Lot Area/Dwelling Unit = 628 square feet/unit
- Density = 69 units/acre

### **Operations**

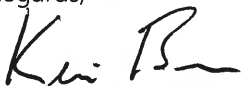
The housing, including workforce, senior, and market rate will be operated by Oakbrook Company. The office, medical office, or clinic will be developed in the future and operations will be determined by the use and tenant.

### **Public Subsidy**

JT Klein will be requesting funding from a new Tax Incremental District to fund the demolition of the existing Westgate Mall and other eligible infrastructure costs as well as affordable housing development funds from the City of Madison and Dane County.

We look forward to working with the city to develop a quality, high-density mixed-use development. We urge staff, Plan Commission, and Common Council to review this project with a broader perspective that takes into account the design, economic feasibility, and, most importantly, the overall benefit this project will bring to the West Side of Madison.

Regards,



Kevin Burow, AIA, NCARB, LEED AP  
Managing Member

# Exhibit A

## Zoning Text

### Westgate Redevelopment

#### 160 Westgate Mall

Legal Description: The lands subject to this planned development shall include those described in Exhibit B (attached).

- A. Statement of Purpose: This zoning district is established to allow the construction of residential multi-family housing, office, medical office/clinic, private north/south street, and a community greenspace with gathering areas.
- B. Permitted Uses:
  - 1. Those uses that are stated as permitted or conditional uses in the Commercial Corridor Transitional (CC-T) zoning district.
  - 2. Uses accessory to the permitted or conditional uses listed in the CC-T zoning district.
- C. Lot Area: As stated in Exhibit B (attached).
- D. Maximum Building Height: Maximum building height shall be 8 stories.
- E. Set Backs: Set backs are to be provided as shown on the approved plans.
- F. Landscaping: Site landscaping will be provided as shown on the approved plans. Landscaping for the office, medical office/clinic will be provided on the future Specific Improvement Plan.
- G. Accessory Off-Street Parking & Loading: Accessory off-street parking will be provided as shown on the approved plans. Parking for the office, medical office/clinic will be provided on the future Specific Improvement Plan and will include a combination of structured and surface parking.
- H. Lighting: Site lighting will be provided as shown on the approved plans.
- I. Signage: Signage will be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the CC-T zoning district.
- J. Family Definition: The family definition of this Planned Development shall coincide with the definition given in Chapter 28.211 of the Madison General Ordinances for the CC-T zoning district.
- K. Alterations: No alteration or revision of this planned development shall be permitted unless approved by the City Plan Commission, however, the Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Development and the alderperson of the district and are compatible with the concept approved by the City Plan Commission.

## Exhibit B

### Legal Descriptions and Lot Areas

#### Westgate Redevelopment

#### 160 Westgate Mall

#### LEGAL DESCRIPITON – WESTGATE GDP AREA

Part of Block 1, Westgate, recorded in Volume 22 of Plats on page 22 as Document Number 977079, in the Dane County Register of Deeds Office, located in the NW1/4 of the SE1/4 of Section 30, T7N, R9E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the Northeast corner of said Block 1; thence N89°48'59"W, 240.00 feet to the point of beginning; thence S00°00'06"E, 302.91 feet; thence S89°59'54"W, 42.00 feet; thence S00°00'06"E, 44.00 feet; thence S89°59'54"W, 323.11 feet; thence N00°01'51"W, 330.79 feet to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N44°53'34"E, 21.18 feet; thence N89°48'59"E, 350.33 feet to the point of beginning. Containing 124,582 square feet (2.860 acres).

#### LEGAL DESCRIPITON – WESTGATE SIP AREA

Part of Block 1, Westgate, recorded in Volume 22 of Plats on page 22 as Document Number 977079, in the Dane County Register of Deeds Office, located in the NW1/4 of the SE1/4 of Section 30, T7N, R9E, City of Madison, Dane County, Wisconsin to-wit:

Beginning at the Northeast corner of said Block 1; thence S00°00'06"E, 733.85 feet; thence N89°53'07"W, 226.00 feet; thence N00°00'06"W, 70.00 feet; thence N89°53'07"W, 282.38 feet; thence N86°24'15"W, 73.82 feet; thence N53°29'46"W, 28.50 feet; thence N00°01'51"W, 293.56 feet; thence N89°59'54"E, 323.11 feet; thence N00°00'06"W, 44.00 feet; thence N89°59'54"E, 42.00 feet; thence N00°00'06"W, 302.91 feet; thence N89°48'59"E, 240.00 feet to the point of beginning. Containing 291,482 square feet (6.692 acres).