PLANNING DIVISION STAFF REPORT

January 10, 2024

PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address:	**1302 S Midvale Blvd**
Application Type:	Informational Presentation – New Mixed-Use Building in an Existing Planned Multi-Use Site **UDC will be an Advisory Body**
Legistar File ID #:	81423
Prepared By:	Jessica Vaughn, AICP, UDC Secretary

Background Information

Applicant | Contact: Ian Luecht, Sketchworks Architecture, LLC

Project Description: The applicant is proposing the construction of a seven-story mixed-use building with both residential and commercial uses in an existing planned multi-use site. Both surface and underground parking are proposed.

Approval Standards: The Urban Design Commission ("UDC") will be an **advisory body** on this development request when a formal application come forward. Section 28.137(2)(e) of the Zoning Code requires that a planned multi-use site containing more than forty thousand (40,000) square feet of floor area and where twenty-five thousand (25,000) square feet of floor area is designed or intended for retail use or for hotel or motel use, shall require conditional use approval following a recommendation on the design of any specific proposal by the Urban Design Commission.

Staff notes that, as part of the Commission's review, consideration should be given to the Conditional Use Approval Standards, in particular Standard No. 9 which speaks to design, and Standard No. 12, which speaks to excess height:

> Conditional Use Standard No. 9, which, in summary states: *"When applying the above standards to any new construction of a building or an addition to an existing building 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..."*
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> Conditional Use Standard No. 12, which, in summary states: When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.

In addition, pursuant to MGO Section 33.24(4)(f), "*Proposals for additions, exterior building alterations, or site alterations to existing structures currently used for, or originally designed to accommodate, a retail development that has a floor area of forty thousand (40,000) square feet or more shall be approved pursuant to the applicable ordinances relating to the alteration of approved projects and shall comply with these requirements to the extent possible, given the constraints of the existing sites and structures.*" As part of their review, the UDC should refer to Section 33.24(4)(f), which includes design related requirements for customer entries, site design, parking design, pedestrian circulation, and central features and community spaces (attached for reference).

Related Zoning Information: The project is zoned Commercial Corridor – Transitional (CC-T). As a reference, the design related zoning standards outlined in the CC-T zone districts are included as an attachment to this report, including, but not limited to those related to building entrance orientation, façade articulation, height, fenestration, and materials. Staff notes that a complete zoning analysis will be completed when a formal application is submitted.

Adopted Plan Recommendations: The City's Comprehensive Plan recommends general commercial development for the project site, which is defined as an area that provides a wide range of retail goods and services, including retail, service-related activities, and professional offices. While not generally recommended for residential uses, the Comprehensive Plan notes that in some cases such uses may be considered as part of a conditional use within certain zoning districts. In addition, the Comprehensive Plan notes that larger general commercial areas are typically located along major thoroughfares or at major interchanges, however smaller scale areas can provide attractive and convenient pedestrian connections with adjacent residential development and should be designed to encourage non-car accessibility.

Summary of Design Considerations

Staff requests that the UDC review the proposed development and provide feedback regarding the aforementioned standards related to the items noted below.

- **Building Height.** The proposed building is seven stories/84.75 feet in height where the base maximum permitted building height is five stories/78 feet. As noted in the Zoning Code, heights exceeding the maximum may be allowed with conditional use approval.

  Staff requests the UDC provide feedback on the proposed building height giving consideration to the above-referenced conditional use standards, especially as it relates to context, impact to surrounding properties, architectural quality, mass and scale, etc.

- **Building Design and Materials.** While exterior building materials were not clearly defined in the application materials, the exterior materials appear to be comprised of large bock masonry, a faux wood panel, and EIFS or other fiber cement-like material. The applicant is advised that as proposed, there may be inconsistencies with the Zoning Code requirements as it relates to materials, including those requirements that limit smooth/split-face block to no more than 33% of any building wall adjacent to a public street or walkway, EIFS to the top of the building or as a trim/accent material and not within three fee of the ground or in highly trafficked pedestrian areas. In addition, the Zoning Code requirements related to glazing (40% of the wall area and 60% of the length) on the primary street frontage (Midvale Blvd) **do not** appear to be met as there is a significant blank wall located at the southeast corner of the building where there also appears to be a bus shelter proposed.

  Staff notes that while additional information is required to fully assess the project's compliance with the applicable design-related Zoning standards, ultimately the Zoning Administrator will determine zoning compliance.

  With that in mind, staff requests the UDC's feedback on the anticipated materials and overall building design, especially as it relates to Conditional Use Standard No. 9, which speaks to "*...creating an environment of sustained aesthetic desirability*," and giving consideration to vertical and horizontal proportions and articulation, datum lines, size and patterns of windows, creating positive termination at the top of the building, etc.

- **Pedestrian Circulation**. As a planned multi-use site, consideration should be given to the internal site pedestrian circulation and cross connectivity to adjacent commercial uses, including providing distinguishable pedestrian amenities, utilizing alternative paving and striping, and providing for enhanced pedestrian safety, especially through shared parking areas and across access drives. Staff request the UDC's feedback related to overall pedestrian circulation, especially as it relates to the Large Retail Development standards pursuant to MGO 33.24(f).

- **Central Features or Community Spaces**. As noted on the site plan and elevations, a bus shelter amenity is proposed. Staff believes that this amenity could satisfy the "central features or community spaces" requirements pursuant to MGO 33.24(f) given its design attributes and placement on the site. While it is not clear if the shelter will be on public or private property at this time, staff requests the UDC's feedback on the overall design and integration of the shelter amenity, especially as it relates to the Large Retail Development standards pursuant to MGO 33.24(f).

ATTACHMENT:

MGO 33.24 (f) Large Retail Developments .

1. Statement of Purpose . The purpose for this section is to provide a regulatory framework to ensure that large-format retail development promotes the efficient use of land and preserves and enhances the urban fabric through a more urban site and building design. In applying this ordinance to the redevelopment, expansion, or remodeling of existing sites, it is the intent of this ordinance to seek improvements, while recognizing that existing constraints will likely make full compliance with all provisions of this section difficult or infeasible.

2. Applicability . All new retail development that is on a single zoning lot and has a total floor area of forty thousand (40,000) square feet or more shall be subject to this ordinance total floor area shall be calculated by adding the floor area of all buildings on a zoning lot. When applying the requirements below, the Urban Design Commission, Plan Commission, and staff shall consider relevant design recommendations in any element of the City's Master Plan or other adopted City plans.

a. Any single retail business establishment that has a total floor area of forty-thousand (40,000) or more square feet shall be subject to Paragraphs 3. through 8. below.

b. All development on a single zoning lot shall be subject to Paragraphs 4. through 8. below.

c. The Plan Commission may waive one or more of the requirements in Par. 3. through 8. below, if it determines that unique or unusual circumstances warrant special consideration to achieve a superior design solution.

d. Proposals for additions, exterior building alterations, or site alterations to existing structures currently used for, or originally designed to accommodate, a retail development that has a floor area of forty thousand (40,000) or more square feet shall be approved pursuant to the applicable ordinances relating to the alteration of approved projects and shall comply with these requirements to the extent possible, given the constraints of the existing sites and structures..

e. Proposals for alterations to existing developments that currently exceed or are proposed to exceed a one hundred thousand (100,000) building footprint, as described in Par. 3, below, shall be approved pursuant to the applicable ordinances relating to the alteration of approved projects and shall comply with these requirements to the extent possible, given the constraints of the existing sites and structure.

3. Requirements for Buildings in Excess of 100,000 Square Feet . A single new retail business establishment may only exceed a building footprint of one hundred thousand (100,000) square feet as defined by the exterior walls, as provided below. Other separately-owned retail business establishments, entertainment, office, and residential uses not associated with the proposed business establishment shall not be counted towards the size of the building footprint.

a. The Plan Commission may consider a single retail establishment exceeding one hundred thousand (100,000) square feet if the design includes one or more of the following elements:

i. Multi-story development.

ii. Mixed use development.

iii. Structured or underground parking facilities.

4. Customer Entrances .

a. The side of a building that directly abuts the most traveled public or private right-of-way that provides vehicular and pedestrian access to the site shall feature at least one (1) customer entrance. The entry may utilize a pedestrian plaza, entry portico, or other community feature as described in Par. 8, below, between the building and sidewalk. Corner entrances may be considered to meet this requirement.

5. Site Design . A development must follow one of the following three (3) options adjacent to the street that is projected to have the most pedestrian activity associated with the building(s). The requirements may be met using any combination of buildings on the zoning lot. The site may be designed to utilize any combination of the three (3) setbacks, i. through iii., below. If a zoning lot directly abuts two (2) or more public or private rights-of-way, there are no requirements for additional street frontages.

a. At least fifty percent (50%) of adjacent street frontage shall be occupied by building facades with a maximum setback of twenty (20) feet. This requirement may be met by using any combination of buildings on the zoning lot.

No off street parking facilities shall be located between the façade(s) directly abutting the street and the adjacent street.

b. At least sixty percent (60%) if adjacent street frontage shall be occupied by building facades with a maximum setback of sixty-five (65) feet. This setback shall allow for a only a single drive aisle and one row of perpendicular parking with building entrance access and required landscaped buffer as stated in Par. 6.a., below. This setback may be extended to a maximum of seventy-five (75) feet, if traffic circulation, drainage and/or other site design issues are shown to require additional space.

c. At least seventy percent (70%) of adjacent street frontage shall be occupied by building facades with a maximum setback of eighty-five (85) feet. This setback shall allow for only a single drive aisle and two rows of perpendicular parking with building entrance access and required landscaped buffer as stated in Par. 6.a., below. This setback may be extended to a maximum of one hundred (100) feet, if traffic circulation, drainage and/or other site design issues are shown to require additional space.

6. Parking . The following requirements apply to the entire zoning lot.

a. Off street parking facilities shall be located at least ten (10) feet from any property line and/or right-of-way and utilize a landscape buffer that includes trees, shrubs, decorative fencing, benches, flowerbeds, ground covers, or other high quality materials.

b. Transportation Demand Management . Any single retail business establishment of forty thousand (40,000) square feet or more with one hundred (100) or more full-time employees or full-time equivalents is required to have a Transportation Demand Management (TDM) Plan, or participate in a Transportation Management Association (TMA), if one is available in the geographic area of the establishment. This requirement shall also apply to any such existing retail business establishment proposing an addition or alteration, and that will have one hundred (100) or more full-time employees or full-time equivalents.

i. The TDM Plan shall generally describe the applicant's intent with respect to reducing the number of single-occupant automobile trips and list the methods the applicant intends to use. These methods shall be based on the transportation choices available and indicate if the applicant will provide for either the full price to purchase a monthly bus pass from Madison Metro, or provide for three (3) or more of the following options to all employees: ridesharing/car pool matching; preferred parking for ridesharers; secured bicycle parking, showers and lockers; employee commuting subsidies or awards; emergency ride home program; employer-subsidized bus passes; provision of real-time transit information; or other options proposed by the employer to discourage the use of single-occupant vehicles, and as approved by the City.
ii. The employer shall make the provisions in its Plan available to all employees.
iii. The Plan shall describe the traffic/parking impacts of the development and shall provide specific details on the measures the employer will use to monitor the traffic/parking impacts.
iv. The Plan shall be periodically updated at intervals not to exceed every two years.
v. The Plan shall be reviewed by the Traffic Engineer in concert with the Planning Division Director. The Traffic Engineer shall provide comments and suggestions for how the Plan might be improved.

7. Pedestrian Circulation . The following requirements apply to the entire zoning lot.

a. Sidewalks shall be provided along all sides of the site abutting a public or private right-of-way. Public sidewalks within the right-of-way may be used to meet this requirement.

b. Continuous internal pedestrian walkways at least six (6) feet in width shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points. Walkways shall have adjoining landscaped areas along at least fifty percent (50%) of their length. These areas shall include trees, shrubs, benches, flowerbeds, ground covers, or other such materials.

c. Sidewalks at least eight (8) feet in width shall be provided along the full length of the building facade featuring a customer entrance, and along any façade abutting parking areas and shall provide at least eight (8) feet in width clear from any merchandise, vending, or other obstructions. These sidewalks shall be located at least six (6) feet from the facade to provide planting beds for foundation landscaping, except where features such as arcades, entryways, or community features, as defined in Par. 8., below, are part of the facade.

d. Internal pedestrian walkways provided in conformance with subparagraph b., above, shall have weather protection features, such as awnings or arcades within thirty (30) feet of all customer entrances and shall be constructed parallel to the façade of the building but need not extend into driving aisles or parking areas.

e. All internal pedestrian walkways and crosswalks shall be distinguished from driving surfaces to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Walkway materials shall be of durable, low-maintenance surface materials, such as pavers, bricks, or scored concrete. Signs shall be installed to designate pedestrian walkways.

f. Sidewalks shall connect transit stops on or off-site as well as to nearby residential neighborhoods.

8. Central Features and Community Spaces . The following requirements apply to the entire zoning lot.

a. At least one (1) of the following central features and community spaces shall be provided for each forty thousand (40,000) floor area of building on the zoning lot. A minimum of two (2) is required and each central features and community space shall each occupy a minimum of 400 square feet in area. (Am. by ORD-15-00033, 4-8-15)

i. Patio/seating area.
ii. Pedestrian plaza with benches.
iii. Transportation center.
iv. Window shopping walkway.
v. Outdoor playground area.
vi. Kiosk area.
vii. Water feature.
viii. Planter walls.
ix. Other deliberately shaped area and/or focal feature or amenity that adequately enhances the community and public spaces.
x. Outdoor employee amenities, such as a break area.

b. All of the above, except outdoor employee amenities, shall have direct access to the public sidewalk network and shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

At

ATTACHMENT:

28.060 GENERAL PROVISIONS FOR MIXED-USE AND COMMERCIAL DISTRICTS.

(1) Statement of Purpose .

Mixed-use and commercial districts are established to provide a range of district types, from the small neighborhood center to regional-level retail centers, while fostering high-quality building and site design and pedestrian, bicycle and transit as well as automobile circulation.

(2) Design Standards . The following design standards are applicable after the effective date of this code to all new buildings and major expansions (fifty percent (50%) or more of building floor area). Design standards shall apply only to the portion of the building or site that is undergoing alteration. For a Civic or Institutional Building, the "Door and/or Window Openings" standards of subsection (2)(d) do not apply. (Am. by ORD-23-00077 , 8-10-23)

Figure D1: Entrance Orientation

(a) Entrance Orientation (See Figure D1) . All new buildings shall have a functional entrance oriented to an abutting public street. Additional entrances may be oriented to a private street or parking area. For buildings with multiple non-residential tenants, a minimum of one (1) tenant space shall have a functional entrance oriented towards an abutting public street. Other tenant spaces shall be connected to the public street with a private sidewalk connection. Entries shall be clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features. Barrier-free entrances are encouraged. (Am. by ORD-13-00113, 6-26-13)

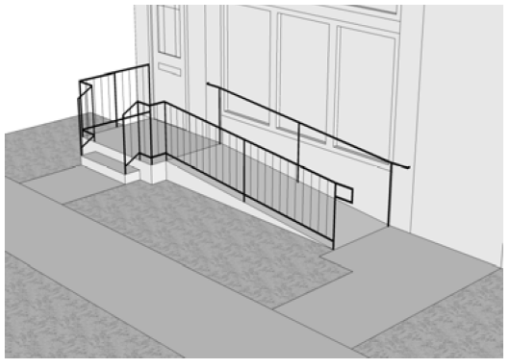

Figure D2: Barrier-Free Entrance Example

(b) Facade Articulation . Consistent with the design of traditional storefront buildings, new buildings of more than forty (40) feet in width shall be divided into smaller increments, through articulation of the facade. This can be achieved through combinations of including but not limited to the following:

1. Facade Modulation (See Figure D3) . Stepping back or extending forward a portion of the facade.
2. Vertical divisions using different textures or materials (although materials shall be drawn from a common palette).
3. Division into storefronts, with separate display windows and entrances.

Figure D3: Facade Modulation

4. Variation in roof lines by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval (See Figure D4).

5. Arcades, awnings, and window bays at intervals equal to the articulation interval.

(c) Design of Street-Facing Facades .

No blank walls shall be permitted to face the public street, sidewalks, or other public spaces such as plazas. Elements such as windows, doors, columns, changes in material, and similar details shall be used to add visual interest.

Figure D4: Variation in Roof Lines

(d) Door and/or Window Openings . For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade.

For residential uses at ground level, a minimum of fifteen percent (15%) of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of fifteen percent (15%) of the upper-story wall area.

1. 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 may be used for up to twenty percent (20%) of the required area of the openings. (Am. by ORD-13-00205, 12-10-13)

2. Displays may be placed within windows. Equipment within buildings shall be placed a minimum of five (5) feet behind windows. To preserve views, within three (3) feet of any window, not more than thirty percent (30%) of the view through the windows shall be blocked by merchandise, displays, shelving, or other obstructions.

3. Window shape, size and patterns shall emphasize the intended organization of the facade and the definition of the building.

(e) Equipment and Service Area Screening . If an outdoor storage, service or loading area is visible from adjacent residential uses or an abutting public street or public walkway, it shall be screened by a

decorative fence, wall or screen of plant material at least six (6) feet in height. Fences and walls shall be architecturally compatible with the primary structure.

(f) Screening of Rooftop Equipment . All rooftop equipment, with the exception of solar and wind equipment, shall be screened from view from adjacent streets and public rights-of-way. Rooftop equipment shall be screened from view from adjacent buildings to the extent possible.

1. The equipment shall be within an enclosure. This structure shall be set back a distance of one and one-half (1½) times its height from any primary facade fronting a public street.

    a. Screens shall be of durable, permanent materials (not including wood) that are compatible with the primary building materials.

    b. Screening shall be constructed to a height of at least one (1) foot above the height of the equipment.

2. Exterior mechanical equipment such as ductwork shall not be located on primary building facades.

(g) Materials . Nonresidential or mixed-use buildings shall be constructed of durable, high-quality materials such as brick, stone, textured cast stone, or tinted masonry units. Table 28D-1 below lists allowable building materials. When applying these requirements, consideration shall be given to the use, amount, placement and relationship of each material as part of a comprehensive palette of building materials. All building facades visible from a public street or public walkway should employ materials and design features similar to or complementary to those of the front facade.

Table 28D-1.

	Allowable for use as/at:				
Building Materials	**Trim/Accent Material**	**Top of Building**	**Middle of Building**	**Base/Bottom of Building**	**Standards (see footnotes)**
Brick (Face/Veneer)	✓	✓	✓	✓	
Smooth-Face/Split-Face Block	✓	✓	✓	✓	A
Wood/ Wood Composite	✓	✓	✓		
Fiber-Cement Siding/Panels	✓	✓	✓	✓	
Concrete Panels, Tilt-up or Precast	✓	✓	✓	✓	B
EIFS/Synthetic Stucco	✓	✓			C
Stone/Stone Veneer	✓	✓	✓	✓	
Metal Panels	✓	✓	✓	✓	D
Hand-Laid Stucco	✓	✓			C
Vinyl Siding	✓				E
Glass Curtain Wall System	✓	✓	✓	✓	
Reflective Glass/Spandrel	✓				F
Glass (Storefront)	✓	✓	✓	✓	

A - Shall be used in conjunction with a palette of materials and shall not comprise more than 33% of any building wall adjacent to a public street or walkway.

B - Shall incorporate horizontal and vertical articulation and modulation, including but not limited to changes in color and texture, or as part of a palette of materials.

C - Shall not be within three feet of the ground or used in heavily trafficked pedestrian areas or where high pedestrian traffic is anticipated.

D - Shall be used in conjunction with a palette of materials; shall be a heavy gauge metal, and; shall be non-reflective.

E - Shall be used in limited quantities due to its limited durability.

F - Shall be used in limited quantities as an accent material.

Figure D5: Compatibility with Traditional Buildings

(h) Compatibility with Traditional Buildings . (See Figure D5.) New development shall relate to the design of traditional buildings adjacent to the site, where present, in scale and character. This can be achieved by maintaining similar, facade divisions, roof lines, rhythm and proportions of openings, building materials and colors. Historic architectural styles need not be replicated.

Figure D6: Building Alignment

(i) Building Alignment . (See Figure D6.) Buildings shall be aligned with facades parallel with the street to create a well-defined street edge.

(j) Building Articulation . (See Figure D7.) Buildings shall have horizontal and vertical articulation, which may include dormers, cornice detailing, recesses and projections, stepbacks of upper stories, changes in roof types and planes, building materials, and window patterns. The base of the building shall relate to the human scale, including doors and windows, texture, projections, awnings, canopies, and similar features.

Figure D7: Building Articulation

(k) Ground-Floor Residential Uses . (See Figure D8.) Ground-floor residential uses fronting a public street or walkway, where present, shall be separated from the street by landscaping, steps, porches, grade changes, and low ornamental fences or walls in order to create a private yard area between the sidewalk and the front door.

Figure D8: Ground Floor Residential Uses