

**AGENDA # 2**

City of Madison, Wisconsin

**REPORT OF:** URBAN DESIGN COMMISSION

**PRESENTED:** January 18, 2012

**TITLE:** 801 South Park Street – New  
PUD(GDP-SIP), Mixed-Use  
Development in UDD No. 7. 13<sup>th</sup> Ald.  
Dist. (16320)

**REFERRED:**

**REREFERRED:**

**REPORTED BACK:**

**AUTHOR:** Alan J. Martin, Secretary

**ADOPTED:**

**POF:**

**DATED:** January 18, 2012

**ID NUMBER:**

Members present were: Richard Wagner, Marsha Rummel, Todd Barnett, Dawn O’Kroley, Richard Slayton, Melissa Huggins, John Harrington, and Henry Lufler.

**SUMMARY:**

At its meeting of January 18, 2012, the Urban Design Commission **REFERRED** consideration of a new PUD(GDP-SIP) located at 801 South Park Street. Appearing on behalf of the project were Pat McCaughey, John Bieno, representing TJK Design Build; Jeremy Alsaker and Ald. Tim Bruer. Appearing and speaking in opposition were Ald. Sue Ellingson, Theresa Kopish, Greg Kopish and Mike Pedelwitts. Bieno stated that a four-story building with underground parking has been approved for this site, but the commercial aspect wasn’t getting any bites. Once the drive-thru was added and the underground parking was removed, a possible client came forward. It has been scaled back to a two-story slab on grade building. The footprint and parking lot remain the same. Preliminary sketches shown to the neighborhood did not show the “escape” drive through the alleyway. The drive-thru lane dumps onto Park Street with the escape lane angled to minimize any flow-back into the neighborhood itself. To help minimize the concerns of the menu board they have agreed to install a 10-foot fence at the corner location, and redirected traffic even further up the existing alleyway. The building itself would use cedar siding, masonry base, brick corner elements, aluminum storefront with residential windows on the second floor in a mixed color palette.

Greg Kopish spoke in opposition representing the Monona Bay Neighborhood Association. The main concern is the orientation of the drive-thru and ordering system. The proposed placement for the speakers is on the northeast corner of the building within 50-feet of existing homes. Having a speaker system that close to a residence is a major concern. Having the “escape” route emptying into a sub-sized alleyway is another concern. He would like to see a rearrangement of the lot itself, this would allow the speaker system to face the existing buildings on the south side of the lot.

Theresa Kopish spoke in opposition as currently designed, but would support the project with certain changes. This site is not only located close to residences but also a City park. She would like to protect that quality of life for all the people who use that park daily. The drive-thru traffic and speaker box are the biggest concerns. The development is a very tight fit on this lot. The Zoning Code specifies that a drive-thru sales and service window be 60-feet from any residential property; this is about 28-feet. Exit lanes should be 60-feet from residential

property; this exit lane is 11-feet. She asks that the site be designed so the speaker cannot be heard at all from neighboring homes.

Mike Pedelwitts spoke as a neighbor whose house would be affected by the speaker. This development would disrupt their lifestyle. He thinks people will be making turns to the right and turn into his driveway to turn around using the adjacent public alleyway.

Ald. Tim Bruer spoke to the difficulties of this site and to the credibility of this particular developer. They have been more than responsive and can hopefully find a win-win situation. He stated his constituents as well as many others in the neighboring area want a Dukin' Donuts in this location.

Ald. Sue Ellingson spoke of two neighborhood meetings they've held for this project. The neighborhood supports Dunkin' Donuts but do have issues. She feels they can come up with good solutions to most of the concerns, but the speaker box is a big issue. She encouraged the developer to find solutions that the speaker box because this site really needs to be developed and it not benefitting Park Street as it currently exists.

Comments and questions from the Commission were as follows:

- Have you responded to the comments from the MBNA as to what is doable and not doable?
  - The 6-foot high fence is already in place with a proposed option of a 10-foot fence at the alley to control noise. The setback is something we have not done. They have skinned up the lanes and added a combination of alternating bushes and grasses to help soften the sound. The ordering system, the speaker is not the analog speaker we're all used to. They are digital speakers that are adjusted automatically to the background noise going on. The average level on Park Street in the middle of the afternoon is 69 decibels. The level of these speakers is 70 so it's about comparable. Dunkin' Donuts is OK with limited drive-thru hours of 6 a.m. to 9 p.m.
- Have you explored a touch screen as opposed to a speaker box?
  - I can't say that I've seen a touch screen. I've seen two windows with two live people. The decibel readings that come out of the speaker system that Dunkin' Donuts uses is the same decibel as normal conversation. The maximum volume is 70 decibels.

If we could include language that this requirement is met at all times, I don't know if the neighborhood would be OK with that.
- Can you explain the alley, why you want to use it?
  - Putting the drive-thru on the other side would cause us to lose too many parking stalls. And queuing would back up onto Park Street which would be a huge issue.
- Tell me why the second lane to the alley is important.
  - If somebody comes in here and realizes that they don't want to do through the drive-thru, it gives them the option to get out without having to back up and wait for the queue. Secondly, if things did back up it would back up into the parking lot and cause people not to be able to back out of their stalls. They run their places very cleanly and neatly, very differently than they did 30 years ago. This is a rebranded Dunkin' Donuts with new owners.
- How does garbage get collected?
  - Those can be scheduled so it doesn't conflict with the operation of the drive-thru.
- Did you look at moving the "squawk box?"
  - We have moved it from 5 cars back to 4 cars. At 5 cars it points directly to the neighborhood; now it's angled down the angle more than directly at somebody's house.
- We have the UDD guidelines in front of us. Can you walk us through some of those basic elements and how the project fits it.

- Every commercial business has access out to the street. There is one live-work unit on the first floor. The upstairs has six apartments and they are accessed off of one entryway and an escape one. All four sides have the same level of finish.
- Can you control the decibel level so it doesn't go above 65 decibels?
- The massing and use seem fine outside of the drive-thru issues.
- How many visits per day do you expect or the drive-thru?
  - The projected number based on traffic and number in the community is around 375 cars per day through the drive-thru, with peak being 7-10 a.m.
- What is the purpose of the 8-foot setback?
  - In the future if they want outdoor seating. Part of the Park Street plan includes creating outdoor spaces and this allows flexibility to do that.

I wonder about the idea of running this building closer to the zero lot line or changing the shape of the building so you get some seating space on this side that's better protected. It seems like the 8-feet is neither urban nor open space.

- I see there are two units that do not have balconies.
  - That is my mistake. There are balconies for those units, at a depth of 5-feet.
- I think this looks like a building that I would more expect to see out in a new development that's trying to be old. I think the materials take away from the strong street edge and doesn't give a sense of permanence from my perspective. It's a big red brick box.
- If you pulled the building up so this was closer to the street you could get the open space. Or slide the building back 5-feet.
- I think if you look at different materials you could get rid of the arched windows, which would look better with stone.
- Why is there no street parking for tenants? Philosophically, streets are for parking.
  - Staff noted that's a long-standing policy by Traffic Engineering: if you're not accommodating your own need don't expect it'll be accommodated on the street for your exclusive use.
- It's pretty clear to me that it's going to be complicated to write down what needs to be written down to satisfy the applicants and the neighbors. I would therefore move referral.
- The architecture needs to be looked at very substantially. You have a tough site and will take some study in terms of proportion and strength on that corner.
- Take a look at your rooftop elements. Maybe if integrated that would help you.
- The spirit of older buildings is what you're looking for here, not to copy history.
- Do the box and drive not quite meet code?
  - That's correct. Distance-wise. It doesn't meet the new code.

I do like the touch screen suggestion. Plants are going to help aesthetically but not with noise levels. I think going with a touch screen is much more appropriate.

### **ACTION:**

On a motion by Lufler, seconded by O'Kroley, the Urban Design Commission **REFERRED** consideration of this item. The motion was passed on a vote of (6-0-1) with Slayton abstaining.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5 and 6.

**URBAN DESIGN COMMISSION PROJECT RATING FOR: 801 South Park Street**

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
<b>Member Ratings</b>	5	6	6	-	-	5	5	5
	5	5	-	-	-	6	7	-
	6	6	6	-	-	6	7	6

General Comments:

- Work on site plan and architecture.
- Work to go.