

PLANNING DIVISION STAFF REPORT

JULY 13, 2016 URBAN DESIGN COMMISSION

JULY 25, 2016 PLAN COMMISSION



Project Address: 4018 Mineral Point Road
Application Type: Conditional Use
Legistar File ID # [43423](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: City of Madison; Capt. Jay Lengfeld, Madison Police Department, representative; 211 S. Carroll Street; Madison.

Contact: Jim Brown, Engberg Anderson, Inc.; 305 W. Washington Avenue; Madison.

Requested Action: Approval of a conditional use to allow construction of a police station with floor area in excess of 10,000 square feet in TR-C1 (Traditional Residential–Consistent 1 District) zoning at 4018 Mineral Point Road.

Proposal Summary: The Madison Police Department is requesting approval to construct an approximately 41,000 square-foot, two-level police station in the southwestern corner of the subject site. The “Midtown Police Station” will include 33,000 square feet of space devoted to police activities and 8,000 square feet of enclosed parking on a partially exposed lower level. The easterly half of the property will be occupied by an 88-stall surface parking lot. The project is scheduled to commence in the first quarter of 2017, with completion of the project anticipated in early 2018.

Applicable Regulations & Standards: Table 28C-1 of Section 28.032(1) identifies public safety or service facilities as permitted uses in all Residential zoning districts. Table 28-C1 also identifies buildings or structures with floor area exceeding 10,000 square feet as a conditional use in all residential zoning districts subject to Supplemental Regulations in Section 28.151. Those supplemental regulations state that the building floor area, bulk, height and massing may be limited as part of the conditional use approval in order to ensure compatibility with surrounding uses, and that an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 33.24(4)(d) of the Urban Design Commission ordinance requires the Urban Design Commission to approve the plans for all buildings to be built or expanded by the City of Madison and certain other governmental entities.

Review Required By: Urban Design Commission and Plan Commission.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow construction of a police station with floor area in excess of 10,000 square feet at 4018 Mineral Point Road following a recommendation by the Urban Design Commission and subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: The subject site consists of two parcels totaling 2.36 acres generally located at the northeastern corner of Mineral Point Road and Westmorland Boulevard; Aldermanic District 11 (Gruber); Madison Metropolitan School District.

Existing Conditions and Land Use: The larger of the two existing parcels, 4018 Mineral Point Road, is currently developed with the approximately 35,000 square-foot, split-level former Mount Olive Lutheran Church located on the western half of the site. A parking lot for 130 automobiles is located to the north and east of the church, with access provided by a single driveway from Westmorland Boulevard. The smaller parcel, 4016 Mineral Point, is developed with a one-story, 1,120 square-foot single-family residence. The site is zoned TR-C1 (Traditional Residential–Consistent 1 District). Demolition approvals for the church and house were granted in 2014 and 2015 as noted in the following section of this report.

Surrounding Land Use and Zoning: The subject site is primarily surrounded by single-family twin residences in the Sunset Village and Westmorland neighborhoods in the TR-C1 (Traditional Residential–Consistent 1) and TR-C2 (Traditional Residential–Consistent 2) zoning districts. Other institutional uses near the subject site include Bethany Methodist Church located immediately east of the site and Our Lady Queen of Peace Church located one block to the west on the south side of Mineral Point Road. Both are zoned TR-C1.

Adopted Land Use Plan: The Comprehensive Plan recommends that the subject site and surrounding properties be developed with Low-Density Residential uses.

The site and surrounding properties north of Mineral Point Road are also located within the boundaries of the 2014 Hoyt Park Area Joint Neighborhood Plan, which provides a series of land use, infrastructure, housing and neighborhood design recommendations for the area of the City generally bounded by University Avenue on the north, Midvale Boulevard on the west, Mineral Point Road on the south, and Franklin Avenue on the east. Among the goals and recommendations in the adopted Hoyt Park Area plan are the strengthening of existing neighborhoods through the maintenance and renovation of the housing stock; promotion of home ownership; and preservation of the quaint, well-kept, mostly single-family character of the neighborhood.

The subject site and adjacent Bethany Methodist Church are recommended for future institutional uses on the Plan’s Future Land Use Map, with a map note that the Mount Olive site is recommended to continue as an institutional land use, or alternatively, for redevelopment with medium-density residential uses (16-25 units per acre) with design types compatible with the surrounding neighborhood. The site is identified as Focus Area N of the plan, identified as the “Mineral Point Road Institutional Campus”, which includes detailed recommendations for the future use of the property that are summarized in the ‘Analysis and Conclusion’ section of this report.

Zoning Summary: The subject property is zoned TR-C1 (Traditional Residential–Consistent 1 District):

Requirements	Required for Nonresidential Building	Proposed
Lot Area	6,000 sq. ft.	103,216.45 sq. ft.
Lot Width	50'	253.42'
Minimum Front Yard	20'	Adequate (See conditions)
Maximum Front Yard	20% of block avg. not more than 30'	N/A
Side Yard	10'	Adequate (See conditions)

Requirements	Required for Nonresidential Building	Proposed
Reversed Corner Side Yard	15'	15'
Rear Yard	30% of lot depth but at least 35'	Adequate
Maximum Lot Coverage	65%	62%
Usable Open Space	N/A	---
Maximum Building Height	Equal to bldg. height not less than 35'	Less than 35' (See conditions)
Maximum Building Coverage	50%	Less than 50%
Building Form	Civic or Institutional Building	Will comply
Automobile Parking	To be determined by Zoning Admin.	109 – 21 enclosed; 49 secured surface; 39 public surface stalls
Accessible Parking	5	5
Bicycle Parking	To be determined by Zoning Admin.	18 – 8 public, 10 secured
Loading	0	0
Other Critical Zoning Items		
Yes:	Urban Design (Public Building), Utility Easements, Barrier Free	
No:	Wellhead Protection, Floodplain, Landmarks, Waterfront Development	
<i>Prepared by: Jenny Kirchgatter, Asst. Zoning Administrator</i>		

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

Public Utilities and Services: The site is served by a full range of urban services, including seven-day Metro Transit service along Mineral Point Road through the Westmorland Boulevard intersection adjacent the project site. Bus stop ID #28990 is adjacent the proposed project site, with the signed bus stop zone encompassing the area from intersection east approximately 150 feet.

Project History and Previous Approvals

On October 1, 2013, the Common Council adopted Resolution 13-00759 (ID 31639), authorizing the execution of a Purchase and Sale Agreement between the City of Madison and Mount Olive Lutheran Church for the purchase of the adjacent church property at 4018 Mineral Point Road at Westmoreland Boulevard for the future Midtown station. The Plan Commission approved demolition of the former church on August 25, 2014.

On November 18, 2014, the Common Council adopted Resolution 14-00791 (ID 35835) to acquire the former parsonage at 4016 Mineral Point Road adjacent to the church from Mount Olive Lutheran Church to increase the land available for the Midtown Precinct project. The Plan Commission approved demolition of the former residence on March 23, 2015.

Project Description

The City of Madison is requesting approval of a conditional use to allow constriction of the new Midtown Police Station to serve the near west side at 4018 Mineral Point Road at the northeastern corner of Westmorland Boulevard. The proposed police station will be a two-story building with a full first floor and partially exposed lower level, which will consist of 41,000 square feet of gross floor area, including approximately 33,000 square feet dedicated to patrol and investigative services, community policing teams, and command staff, and a community room. The remaining 8,000 square feet within the structure will provide parking for 21 police

vehicles. A more detailed description of the proposed facility can be found in the letter of intent for the project, and the use of each floor is detailed on the enclosed floorplans.

Plans for the police station indicate that the public entrance will be located at the southeastern corner of the building, which will be located in the southwestern corner of the uniquely shaped 2.36-acre site. The community room will be located along the southern façade adjacent to the public lobby. Access to the site will be provided from two driveways. The first driveway will be located adjacent to the southeastern corner of the building and will provide access from Mineral Point Road to approximately 40 publicly accessible surface parking stalls and an enclosed upper level “sallyport” for secure reception of police vehicles. The second driveway will be located adjacent to the northern wall of the station and will provide access from Westmorland Boulevard to a secured parking area, including the lower level enclosed parking area and a 50-stall surface lot for police vehicles. Gates will be installed near the Westmorland driveway and at the eastern edge of the public parking area to secure those portions of the site.

The new police station will be clad with a combination of tan-colored brick and blue-colored metal panels, with prominent stone veneer elements along the western and southern facades. An extensive landscaping plan is proposed, as depicted on the attached plans.

Analysis and Conclusion

Public safety or service facilities such as police stations are permitted uses in all Residential zoning districts subject to approval by the Urban Design Commission as public buildings per Section 33.24(4)(d) of the Urban Design Commission ordinance. However, the size of the proposed station requires conditional use approval, since any building or structure with floor area exceeding 10,000 square feet is a conditional use in all residential zoning districts. There are no supplemental regulations for public safety or service facilities. However, buildings or structures exceeding 10,000 square feet in floor area subject to the following supplemental regulations:

- a.) *In any residential district, building floor area, bulk, height and massing may be limited as part of the conditional use approval in order to ensure compatibility with surrounding uses.*
- b.) *In any residential district, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.*

The Planning Division believes that the standards for approval of conditional uses and the supplemental regulations for buildings exceeding 10,000 square feet of floor area in residential zoning districts can be met with the request to construct the Midtown Police Station. Staff does not believe that the proposed 41,000 gross square-foot station will have a negative impact on the uses, values and enjoyment or the normal and orderly development of surrounding properties or the larger neighborhood. The proposed use of the site is consistent with the applicable plan recommendations, and as of the drafting of this report, staff is unaware of any concerns about the proposal from area residents and property owners.

The site and surrounding properties north of Mineral Point Road are located within the boundaries of the [Hoyt Park Area Joint Neighborhood Plan](#), which includes a number of specific land use and design recommendations for the former Mount Olive property in Focus Area N (Mineral Point Road Institutional Campus). Focus Area N includes recommendations that call for the subject site to maintain a residential-scaled institutional campus or to redevelop as “appropriately scaled infill residential.” Reuse of the site may include special institutional uses;

places of assembly and worship; schools; day care centers; residential uses such as single-family homes of a scale comparable to surrounding homes and duplexes, townhouses and small apartment buildings; and office uses in the existing building or neighborhood scale multi-family residential. Residential alternatives for the site that include a wider range of housing types may be allowed to extend into the medium-density range of 16-25 units per acre. The Plan recommends a maximum height of 2 stories, with a minimum 35-foot building setback from adjoining single-family lots to the north of the district for institutional uses. The mass and scale of new buildings on the subject site should fit neighborhood character and the area dedicated to surface parking should be reduced to increase open space opportunities. The Plan recommends that a traffic impact assessment be completed for any new use other than a place of worship or single-family residential development.

The proposed use of the property for a police station represents an institutional use consistent with the recommendations of the Hoyt Park Area Joint Neighborhood Plan, and the proposed building appears consistent with most of the specific provisions noted above. Of note, the new building will be set back in excess of the 35 feet recommended from the residential properties north of the site along Westmorland Boulevard, and the height of the new building will comply with the two-story maximum recommended. Staff does not have information regarding the current percent of lot coverage for the property, which includes a large surface parking area in the northeasternmost corner of the 2.36-acre site and a smaller parking area north of the existing church building. However, staff feels that the intent of the plan recommendation to reduce surface parking in this area is met with the parking areas proposed for the police station, which will generally be set back further from the edges of the site than the existing lots, particularly along the northern property line, and will be adequately screened along the northern and eastern lines by a combination of a 6-foot tall solid fence and landscaping. Lastly, Planning staff has confirmed with the Traffic Engineering Division that no traffic impact assessment was needed for the proposed police station.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow construction of a police station with floor area in excess of 10,000 square feet at 4018 Mineral Point Road following a recommendation by the Urban Design Commission and subject to input at the public hearing and the following conditions:

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

Planning Division

1. The plans shall be revised prior to the issuance of building permits to include: a fully dimensioned site plan that identifies the exterior dimensions of the property, and dimensions the setbacks of the building and proposed parking areas from adjacent property lines. For clarity, this final site plan (Sheet C-200) should have the landscaping layer(s) turned off. (Landscaping information begins on Sheet C-500.)

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

2. The applicant shall replace all sidewalk and curb and gutter that abuts the property that is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced

because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.

3. All work in the public right of way shall be performed by a City-licensed contractor.
4. All damage to the pavement on Mineral Point Road and Westmorland Boulevard adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria
5. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees are in effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
6. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
7. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
8. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the City Engineering Division (Storm/Sanitary Section). The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). The CAD file will only be required prior to final plan review so that multiple files do not need to be supplied or reviewed. Any changes or additions to the location of the building, private utilities, sidewalks, parking/pavement during construction will require a new CAD file transmittal.
9. The applicant shall 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 ttroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) Building Footprints; b) Internal Walkway Areas; c) Internal Site Parking Areas; d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

10. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
11. 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. Include copies of all stormwater; utility, and detail plan sheets that contain stormwater practices on 8.5x14" paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at ttroester@cityofmadison.com, or Jeff Benedict at jbenedict@cityofmadison.com; the final document and fee should be submitted to City Engineering.
12. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
13. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
14. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to Reduce TSS by 80% off of the proposed development when compared with the existing site. Oil and grease control will be required for this site as well.
15. Complete an erosion control plan and 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 Madison General Ordinances.
16. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

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

17. The addresses of 4016 and 4018 Mineral Point Road will be retired with the demolition of the existing parsonage and church buildings. The address of the new police station is 4020 Mineral Point Rd. 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.

18. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
19. The site plans shall show the final boundary of the lot with dimensions of the pending Certified Survey Map. It shall correctly show the revised right of way of Mineral Point Road after additional dedication along Mineral Point Road.
20. The three Quaking Aspen along Mineral Point Road shall be moved north out of the newly dedicated public right of way.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

21. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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 2 feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
22. 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.
23. All parking facility design shall conform to the standards in MGO Section 10.08(6).
24. 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.
25. 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 the Traffic Engineering Division.
26. Underground parking is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO Section 10.08, the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency reviewed the request and has recommended no conditions of approval.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

27. All operating private wells shall be identified and permitted by the Madison Water Utility and any unused private wells shall be abandoned in accordance with MGO Section 13.21.

Parks Division (Contact Janet Schmidt, 261-9688)

28. Additional street trees are needed for this project. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brian Meiller – bmeiller@cityofmadison.com or 266-4816. Tree planting specifications can be found in Section 209 of City of Madison Standard Specifications for Public Works Construction. If the terrace width on Mineral Point Road is not widened to more than 4 feet, then no additional trees should be planted on Mineral Point Road. Additional trees may be planted on the terrace on Westmorland Boulevard.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

29. Shift the parking stalls adjacent the Mineral Point Road frontage to the north outside of the 20-foot front yard setback.

30. The demolition of the existing buildings at 4018 and 4016 Mineral Point was approved by the Plan Commission August 25, 2014 and March 23, 2015, respectively.

31. Show the proposed building setback distances on the site plan.

32. Show the proposed building height on the plan elevations for each facade. The maximum height is 35 feet. The building height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than 15% higher than the maximum height of the zoning district.

33. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d).

34. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten 10,000 square feet in size must be prepared by a registered landscape architect.

35. Provide adequate development frontage landscaping per Section 28.142(5), Development Frontage Landscaping. Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. Note that landscaping must be installed on the private property.

36. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.

37. Per Section 28.186(4)(b) of the Zoning Code, 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 for this project/ site.

Metro Transit (Contact Tim Sobota, 261-4289)

38. The applicant shall install and maintain an accessible concrete bus boarding pad on the north side of Mineral Point Road, east of Westmorland Boulevard. The surface should be 10 feet parallel to the street, and flush with the top of curb and adjacent sidewalk.
39. The applicant shall install and maintain a bench or other seating amenity behind the sidewalk, as part of the property landscaping, opposite this accessible concrete bus boarding surface (additional landscape worksheet points may apply, per application form).The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design. [See attachment "4018mpr_METRO.pdf"]