

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of October 10, 2007**

RE: I.D. # 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, with completion anticipated in November 2008.
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: Undeveloped land, zoned C2 (General Commercial District).
5. Proposed Land Use: The applicant wishes to construct two two-story office-retail buildings with a total of 38,000 square feet of floor area that will include a drive-up/ thru window for one of the first floor retail tenants.
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 APPROVAL

On May 1, 2006, the Plan Commission approved a planned residential development and planned commercial site for this site that was comprised of 50 residential condominium units and 16,412 square feet of first floor commercial space in three buildings under the existing C2 zoning.

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 to be constructed on the 3.2-acre subject site, which is 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 subject site is a relatively flat and currently undeveloped site comprised of four lots created by Certified Survey Map in 2006 following the approval of an earlier proposal for a mixed-use residential and retail project on the site, which has subsequently been abandoned for the current proposal. The site was once part of the larger Monona Shores apartment development, which was purchased by the Madison Community Development Authority in 1995. The CDA demolished the residential buildings that previously occupied the site. The property was rezoned from R5 to C2 in 2003 in part to support the designation of the site for mixed-use/ housing and commercial retail uses in the West Broadway Redevelopment Area Master Plan.

The new development proposal for this property calls for the construction of 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 building of similar design and office-retail programming 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. A third lot for future development is shown east of the eastern building between this project and the Cranberry Creek Café, which abuts the property on the east.

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 a driveway connection from both Lake Point Drive and W. Broadway. A future connection to the Cranberry Creek Café property, which is owned by the applicant and has its own driveway onto Lake Point Drive, is shown conceptually. At the time the future building area is developed and the conceptual connection is made, the City will require the appropriate cross-access easements and shared parking agreements.

The two two-story buildings to be constructed with the current proposal will be constructed primarily with a stucco-like exterior material, with cultured stone to be used along portions of the first floor. The primary entrances for the first floor retail spaces appear to be oriented towards W. Broadway and not to the residential neighborhood to the north, though pedestrian linkages to the north and north-facing doors are shown on the plans. Landscaping for the project will consist of a variety of under-story deciduous and ornamental trees and deciduous shrubs located around the perimeter of the site. A raingarden will be located in the southeast corner of the property to serve the project.

The drive-up service window is proposed to be located along the western wall of the western of the two buildings. The drive-up will include a menu board adjacent to the northwestern corner of the building, with a southbound queue that has been redesigned to address an earlier concern expressed by the Traffic Engineering Division about conflicts between vehicles exiting the drive-up and vehicles entering the site from the W. Broadway driveway.

The Comprehensive Plan identifies the subject site is for neighborhood mixed-use development, while the West Broadway Redevelopment Area Master Plan recommends the site for mixed-use/housing and commercial retail uses. The project generally reflects the recommendations of both of these planning documents, though certainly less so than the plan that was approved for the site in 2006 but not built. The project generally complies with the underlying C2 commercial zoning, which allows all but the proposed drive-up service window as permitted uses.

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. In addition, the drive-up window will be over 200 feet from the nearest residential building in the multi-family development to the

west. However, the Plan Commission may consider limitations on the hours of operation on the drive-up window to address any concerns about noise generated by the menu board speaker or vehicles in the queue if any such concerns are expressed at the public hearing.

Finally, the applicant has submitted the project for review by the Urban Design Commission at the request of staff. The subject property is not a planned development, is not located in an Urban Design District and staff does not feel that the drive-up window conditional use falls under the provision in the Zoning Ordinance that allows the Plan Commission to refer conditional uses to the Urban Design Commission for review prior to Plan Commission action. However, staff felt that the Urban Design Commission might be able to offer the developer some advice on how to make the proposed development, which is permitted except for the drive-up window, a better project for this redeveloping area of the City. The Urban Design Commission will not take this matter up before the scheduled Plan Commission date. However, Planning Division staff will work with the applicant to incorporate the Urban Design Commission's input on the project into the final approved plans for the overall development.

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 the following conditions:

1. Comments from reviewing agencies.
2. That the applicant work with Planning Division staff to incorporate the input provided by the Urban Design Commission during the applicant's voluntary review of the project.