



Project Address: 437 North Frances Street (4th Aldermanic District, Alder Verveer)
Application Type: Major Alteration to Conditional Use
Legistar File ID # [36096](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Jay Wendt, Principal Planner, and Katherine Cornwell, Planning Director

Summary

Applicant/Owner: Marc Lifshin; Core Campus, LLC; 2234 W. North Ave.; Chicago, IL 60647

Contact: Brian Munson, Vandewalle and Associates; 120 E. Lakeside St.; Madison, WI 53715

Requested Action: Major alteration to an existing conditional use in the DC (Downtown Core) District for the incorporation of venting louvers for first floor commercial spaces.

Proposal Summary: The applicant proposes architectural revisions to the first floor building facade in order to incorporate venting louvers for potential restaurant spaces.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses (MGO Section 28.183(6)a).

Review Required By: Urban Design Commission (UDC) and Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the requested major alteration at 437 North Frances Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The subject property is located on the southeast corner of North Frances Street and State Street in the Downtown Core (DC) District; Aldermanic District 4 (Verveer); Madison Metropolitan School District.

Existing Conditions and Land Use: A twelve story mixed-use building with 26,000 square feet of commercial space, 5,600 square feet of flex space and 326 apartments units, approved in summer 2013, is currently under construction on the 1.66-acre site.

Surrounding Land Use and Zoning:

North: Across State Street, mixed-use buildings with apartment units and ground floor commercial space in the DC (Downtown Core) District.

South: Immediately adjacent to the subject property is Portabella Restaurant in the UMX (Urban Mixed-Use) District.

East: Mondays Tavern in the DC District

West: Across North Frances Street, State Street Brats restaurant and tavern and another retail building in the DC District, City of Madison parking garage in the UMX District.

Adopted Land Use Plan: The Comprehensive Plan (2006) includes this property in the State Street Mixed-Use Sub-District. The Downtown Plan (2012) recommends Downtown Mixed-Use redevelopment of the property with a 2 to 4-story facade on State Street, stepping back to a 6 and then 12 stories.

Zoning Summary: The site is in the Downtown Core (DC) District.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services, including many Metro Transit routes.

Related Reviews and Approvals

Rezoning of one small parcel from UMX to DC, demolition of the previous buildings on the site, and a conditional use for the twelve-story mixed-use building were approved by the Plan Commission on July 22, 2013 and Common Council on August 6, 2013, following a recommendation by the Urban Design Commission. A few minor alterations to the design have since been reviewed and approved by the Urban Design Commission, and this is the first proposed major alteration, a design change for which staff has recommended Plan Commission review.

On September 17, 2014, the Urban Design Commission granted *final approval* for the proposed change, with conditions (see attached report).

Project Description, Analysis, and Conclusion

For “The Hub”, a twelve-story mixed use building currently under construction, the applicant has identified specified locations for the potential future addition of louvers near the top of most of the first floor commercial spaces, in order to make the spaces flexible over time to accommodate exhaust systems for potential restaurant users.

The first floor commercial space is designed to support up to thirteen tenants, with the flexibility to change the total number and size of tenant spaces over time. There are currently ten spaces delineated by the proposed interior walls, and the exhaust louvers identified in the proposal would support up to nine of these spaces. As proposed, the louvers would each be designed to match their surroundings, and would only be installed if needed to support a restaurant use. The proposal before the Plan Commission is a request to pre-approve the locations, so that if louvers are needed, they can be administratively approved at these specific locations by Planning and Urban Design staff.

During the original review of this proposal in Summer 2013, staff was aware that first floor exterior details such as lighting and signage would return for further review by the Urban Design Commission once individual tenants were determined for the commercial spaces. At that time, however, louvers were never mentioned as a possible addition. While the possibility for louvers should have been discussed before the building was approved, staff understands that the applicant is unable to run vertical exhaust systems due to limitations based on building code requirements and actively used rooftop open spaces, and that penetrations through the front facade are the only viable alternative to support exhaust systems required by building code for kitchens.

Land Use and Plan Consistency - The Downtown Plan (2012) has many recommendations for State Street about the importance of maintaining ground floor spaces for a mix of small-scale retail, service, and eating and drinking establishments (see attached excerpt, and the most relevant objectives and recommendations below).

Objective 4.2: Maintain and enhance the State Street district as Madison's premier shopping, dining, entertainment and cultural destination with a unique sense of place characterized by a vibrant, diverse and dynamic mix of uses, a distinctive pedestrian-oriented streetscape, and human-scale developments that actively engage the street and promote synergy and interaction.

Recommendation 69: Support the retention, expansion and establishment of retail businesses that will contribute to the vibrancy of the district and strengthen its attractiveness as a shopping, dining and entertainment destination and serve the needs of Downtown workers and residents.

Recommendation 71: Provide retail spaces suitable for the wide variety of unique, relatively small businesses and business start-ups that are an essential element of the district's character.

Recommendation 72: Provide opportunities for the development of retail spaces needed to accommodate new uses or the expansion of successful businesses already located within the district; but ensure that the design of both small and large business spaces maintains the small-scale rhythm of the street, and that single establishments do not dominate the street frontage along a block.

Recommendation 73: Evaluate potential strategies and techniques for discouraging over-development with similar types of establishments that could collectively diminish State Street's overall attractiveness as a destination for a broad range of users.

Prior to this redevelopment occurring, approximately 2,000 square feet of ground floor commercial space in the former University Inn building was occupied by retail and service establishments, and the remainder of the ground floor was occupied by restaurants. Collectively, the recommendations above relate to the importance of maintaining State Street as a destination for a wide variety of people during the day, evening, and night. The variety of businesses desired will help to alleviate parking pressures at any one time for those driving to Downtown to enjoy State Street. Meanwhile, the recommendations help to ensure that the growing number of Downtown residents – including the nearly 1,000 people anticipated to live in this building – will have access to a variety of services within close proximity of home.

While staff assumed that the subject building would support a variety of businesses over time, potential exhaust louvers to serve potential restaurant tenants have now been identified for nearly all of the tenant spaces, drawing attention to the fact that the ground floor could one day become dominated by food and beverage uses. With regard to commercial (and residential) square footage, this is the most significant infill project State Street has seen in recent decades, and will likely maintain that status for many years. Setting the tone with this building for a variety of commercial uses within the 26,000 square feet of space is critical. In order to further the objective and recommendations above to preserve a variety of uses and relatively small commercial spaces along this block of State Street, staff recommends that at any one time the State Street facade of the building should maintain one or more retail tenant spaces that do not qualify as a food and beverage establishments.

Design Details - From a design perspective, staff has the following recommendations regarding the need to minimize the use of louvers generally, and regarding a few specific louvers proposed by the applicant:

Generally Minimize Louvers - Staff agrees with the Urban Design Commission condition that louvers should be replaced with glass or brick when they are not needed. More specifically, louvers should not be installed until a prospective tenant needing the exhaust system is identified and approved by Zoning staff. If and when tenant spaces change over time, louvers that have been installed to support a particular tenant should immediately be removed if the next tenant identified and approved by Zoning staff does not require an exhaust system. Also,

consistent with the condition of approval recommended by the UDC, louvers should be minimized by utilizing exhaust openings from adjacent tenant spaces wherever possible. For instance, in any instance where a new restaurant tenant for a space that has no louvers is able to tie into an exhaust system through an interior demising wall, this should be done. The applicant will need to explore this possibility and demonstrate to staff any reasons why this cannot be accomplished, before a new louver will be approved.

Specific Placement - From a design perspective, staff and the applicant have discussed the ideal placement of the louvers along the varied facade, and have generally reached agreement that the louvers work best aesthetically when they either replace an upper-level window panel or are integrated as a band above a window bay. Stand-alone louvers surrounded by a field of brick or glass are more noticeable, and more difficult to replace if no longer needed due to the needs of new tenants over time. The applicant has worked to make adjustments on the detailed placement of louvers, and while staff still believes they should be minimized overall, staff can support the placement of each potential louver in the latest revision to the elevation drawings, dated December 10, provided by the applicant.

Conditional Use Standards - With the conditions outlined below, staff believes that the conditional use standards can be met with the proposed major alteration to the exterior of the first floor facade.

Recommendation

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requested major alteration to an existing conditional use at 437 N. Frances Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Heather Stouder, 266-5974)

1. Final plans shall include a detailed materials schedule, including color specifications, indicating that the proposed louvers are designed to blend in with surrounding materials. In each approved location, the alternative material to be utilized as a replacement for louvers shall be clearly identified.
2. Louvers shall not be installed until such time as a tenant for which building codes require an exhaust system is identified and granted a certificate of occupancy by Zoning staff. In any instance where such tenant can utilize an existing exhaust system in an adjacent commercial space, this should be done to minimize the number of louvers on the building exterior. The applicant shall demonstrate to Planning, Urban Design, and Building Inspection staff any reasons why this cannot be accomplished.
3. As commercial tenants change over time, louvers installed for previous tenants shall be immediately removed and replaced with glass or brick if the new tenant does not require an exhaust system to meet building code requirements.
4. At any one time, certificates of occupancy for tenants qualifying as "food and beverage uses" shall be limited such that one or more tenant spaces with direct access from State Street will be available for retail or service establishments not qualifying as a "food and beverage use".

5. Final plans submitted for staff review and approval shall meet all conditions of approval noted by the Urban Design Commission on September 17, 2014.

City Engineering Division (Contact Janet Dailey, 261-9688)

6. Tenant configurations have changed from initial approval of 5 tenant addresses along State St. New addresses will need to be assigned due to the increase of tenant spaces. Please contact Lori Zenchenko at 608-266-5952 with questions regarding this matter.
7. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). 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) Lot lines and right-of-way lines
 - e) Street names
 - f) Stormwater Management Facilities
 - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)