

**CITY OF JEFFERSON
ORDINANCE #3-03**

An ordinance creating Section 17.05(6)(m) of the Municipal Code of the City of Jefferson relating to the Large Retail Buildings in Excess of 50,000 Square Feet.

The Common Council of the City of Jefferson, Wisconsin, do ordain as follows:

Section 1. The following section 17.05(6)(m) is hereby created as follows:

- (m) Retail and Commercial Service Buildings In Excess of 50,000 Square Feet of Area.

The following requirements are applicable to all new retail and commercial service buildings in excess of fifty thousand (50,000) gross square feet and shall be conditional uses in the zoning districts in which they are allowed, except that a separate Conditional Use Permit is not required where such buildings are part of a PAD District. All additions to existing retail and commercial service buildings, built either before or after the adoption of this Ordinance, which brings the total building size to over fifty thousand (50,000) gross square feet shall also require a Conditional Use Permit. The following standards are intended to ensure that large retail and commercial service buildings, and the sites they occupy, are properly located and compatible with the surrounding area and community character of the city. Such projects shall also be subject to the more general standards for the approval of Conditional Use Permits or PAD Districts.

1. Compatibility with City Plans. The applicant shall provide, through a written report submitted with the petition for a conditional Use Permit or rezoning application for the PAD Districts, adequate evidence that the proposed building and overall development project shall be compatible with the City's community character, urban design, natural area preservation, commercial development, redevelopment, or community facility objectives as expressed adopted elements of the City's master plan. The applicant must demonstrate in the report that the development is consistent with the City's Comprehensive Master Plan. The Common Council or the Plan Commission may retain professional consultants to assist in the City's review of the proposal. The applicant shall pay for such professional review services applicable to the proposal as per Section 18.04 (3)(d).

2. **Building Materials.** Building materials shall be unified throughout the building, and shall complement other buildings in the vicinity. Exterior building materials shall be of high and comparable aesthetic quality on all sides. Building materials such as glass, brick, decorative concrete block, or stucco shall be used, as determined by the plan commission and City Council. Decorative architectural metal with concealed fasteners may be approved if sensitively incorporated into the overall design of the building.
3. **Building Design.** The building exterior shall be unified in design throughout the structure, and shall complement other buildings in the vicinity. The building shall employ varying building setbacks, height, roof treatments, door and window openings, and other structural and decorative elements to reduce apparent size and scale. A minimum of twenty (20) percent of all of the facades of the structure shall employ actual façade protrusions or recesses. A minimum of twenty (20) percent of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six (6) feet or more as measured eave to eave or parapet to parapet for buildings over fifty thousand (50,000) square feet. Roofs with particular slopes may be required by the city to complement existing buildings or otherwise establish a particular aesthetic objective. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than fifty (50) percent to their horizontal length. The integration of windows into building design is strongly encouraged.
4. **Building Entrances.** Public building entryways shall be clearly defined and highly visible on the building's exterior design, and shall be emphasized by on-site traffic flow patterns. Two (2) or more of the following design features shall be incorporated into all public building entryways: canopies or porticos, overhangs, projections, arcades, peaked roof forms, arches, outdoor patios, display windows, distinct architectural details.
5. **Building Color.** Building façade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, black, or fluorescent colors on facades shall be prohibited. Building trim and architectural accent elements may feature brighter colors, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard corporate and trademark colors shall be

permitted only on sign face and copy areas, subject to the limitations in Section 17.08(6).

6. **Building Location.** Modest building setbacks are encouraged. Where buildings are proposed to be distant from a public street, the overall development design shall include smaller buildings on pads or out lots closer to the street.
7. **Screening.** Mechanical equipment, refuse containers and any permitted outdoor storage shall be fully concealed from on-site and off-site ground level views, with materials identical to those used on the building exterior. Loading docks shall be completely screened from surrounding roads and properties. Said screening may be accomplished through loading areas internal to buildings, screen walls, which match the building exterior in materials and design, fully opaque landscaping at time of planting, or combinations of the above. Gates and fencing may be used for security and access, but not for screening, and shall be of high aesthetic quality.
8. **Traffic Impact.** All projects that include buildings over fifty thousand (50,000) square feet shall have direct access to an arterial street, or shall dedicate public roads, which have direct access to a public street. Vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length, width, design, location, and number; and traffic control devices; and sidewalks. The site design shall provide direct connections to adjacent land uses if required by the City. Prior to development approval, the applicant's traffic engineer shall complete and present a traffic impact analysis following Wisconsin Department of Transportation District One guidelines. The traffic impact analysis shall consider the parking lot 100% full for level of service analysis. Where the project will cause off-site public roads, intersections, or interchanges to function below level of service C, as defined by the Institute of Transportation Engineers, the City may deny the application, require a size reduction in the proposed development, or require that the developer construct and/or pay for required off-site improvements.
9. **Parking.** Not more than seventy-five (75) percent of the off-street parking spaces shall be located directly between the front façade of the building and the public street, unless additional

buildings in the overall development are or will be located between the main building and the public street. Such additional buildings must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot. Parking lots in which the number of spaces significantly exceeds the minimum number of parking spaces required in Section 17.07(4) of this Ordinance shall be allowed only with specific and reasonable justification. Parking lot design shall employ interior, curbed landscaped islands at all parking aisle ends. In addition, the project shall provide landscaped islands within each parking aisle spaced at intervals no greater than one island per every twenty (20) spaces in that aisle. Islands at the ends of aisles shall count toward meeting this requirement. Each required landscaped island shall be a minimum of three hundred (300) square feet in area.

10. Natural Resources Protection. Each project shall meet the natural resource protection standards for storm water, utilities, erosion control and public safety. In general, existing natural features shall be integrated into the site design as a site and community amenity. Maintenance of any storm water detention or conveyance features are solely borne by the developer/owner unless dedicated and accepted by the City.

11. Landscaping. On-site landscaping shall be provided per following landscaping requirements:

- a. Landscaping plan shall be submitted to the city Forester for approval including species as per Section 8.08 of the City Municipal Code.
- b. Extensive building foundation landscaping for all building frontages facing public streets, parking lots, or residential districts to provide visual breaks in the mass of the building. Building foundation landscaping shall be placed so that, at maturity, the plant's drip line is within ten (10) feet of the foundation. Canopy/shade trees shall not be used to meet this requirement.
- c. Extensive paved area landscaping for all parking, driveway, and loading areas to screen and provide visual breaks in the size of such paved areas. Canopy/shade trees shall be emphasized within landscaped islands, with shrubs, groundcover, or grass preferred to mulch or stones.
- d. Canopy/shade tree shall be planted in the City tree terrace at a maximum spacing of 1 per 50 feet, if space permits, or off public right-of-way at a maximum spacing of 1 per 100

feet. Canopy/shade trees shall have a minimum of 2.5” diameter.

12. Lighting. On-site exterior lighting shall meet all the standards of Section 17.10(4) of the Ordinance, except that total cut-off luminaries with angles of less than ninety (90) degrees shall be required for all pole and building security lighting. The color and design of pole lighting standards shall be compatible with the building and the city’s public lighting in the area, if a particular public lighting theme has been established for the area.
13. Signage. The plan for exterior signage shall provide for modest, coordinated, and complimentary exterior sign locations, configurations, and color throughout the development. All freestanding signage within the development shall compliment on-building signage. Monument style ground signs are strongly preferred over pole signs, and consolidated signs for multiple users are strongly preferred over multiple individual signs. The City may require the use of muted corporate colors on signage if proposed colors are not compatible with the City’s design objectives for the area.
14. Bicycle and Pedestrian Access. The entire development shall provide for safe pedestrian and bicycle access to all uses within the development, connections to existing and planned public pedestrian and bicycle facilities, and connections to adjacent properties. Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or pedestrian/bike facilities. The development shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location.
15. Central Areas/Features. Each development that contains a building over fifty thousand (50,000) square feet in area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and maintained over the life of the building project.

16. Cart Returns. A minimum of one (1) two hundred (200) square foot cart return area shall be provided for every one hundred (100) parking spaces. Cart corrals shall be of durable, all season construction, and shall be designed and colored to be compatible with the building and parking lot light standards. There shall be no exterior cart return or cart storage areas located within twenty-five (25) feet of the building.
17. Impact on Existing Jefferson Business Locations. Where such a building is proposed as a replacement location for a business already located within the City, the City shall prohibit any privately imposed limits on the type of reuse of the previously occupied building through conditions of sale or lease. If the applicant requires such limits, the applicant may seek City approval to demolish the previously occupied structure and prepare the site for future redevelopment.
18. Maintenance Bond. A maintenance/restoration bond must be set up to ensure the building and all amenities on the site are maintained if the building becomes vacant. If the building remains vacant for a period of eight (8) years the restoration bond will be enacted to either modify the building or remove the building from the site.
19. Waiver of Standards. The Plan Commission may waive any of the above standards by a simple majority vote of members in attendance, but only if supplemental design elements or improvements are incorporated into the project which compensate for the waiver of the particular standard and prepare the site for future development.
20. Developer's Agreement. The Developer shall enter into a Development Agreement with the City, which shall include the payment of all utilities including but not limited to storm water infrastructure.