



## Report to the Plan Commission

August 20, 2012

**Legistar I.D. #26486 & 27379**

**1321-1331 Everett Street**

**Rezoning & Demolition Permit**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

**Requested Action:** Approval of a request to rezone 1321-1331 Everett Street from C3 (Highway Commercial District) to M1 (Limited Manufacturing District) and a demolition permit to allow a single-family residence to be demolished and mini-storage warehouses to be constructed.

**Applicable Regulations & Standards:** Section 28.10(4)(c) identifies storage and warehousing establishments and contractor or construction offices and shops, and yards as permitted uses in the M1 zoning district; Section 28.12(9) of the Zoning Ordinance provides the process for zoning map amendments; Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission recommend **approval** of Zoning Map Amendment ID 3615, rezoning 1321-1331 Everett Street from C3 to M1, to the Common Council and **approve** the demolition permit to allow a single-family residence to be demolished and mini-storage warehouses to be constructed, all subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

### Background Information

**Applicant & Property Owner:** Chet Hermansen, Hermansen Real Estate; 1745 Boyd Avenue; Madison.

**Proposal:** The applicant is requesting approval to demolish a single-family residence at 1321 Everett Street and to rezone that property and the adjacent commercial property at 1331 Everett Street to allow construction of two mini-storage warehouse buildings. Construction is scheduled to commence as soon as all regulatory approvals have been granted, with completion anticipated in spring 2013.

**Parcel Location:** An approximately 0.9-acre parcel located at the northerly terminus of Everett Street, a one-block long street that extends north from Aberg Avenue; Aldermanic District 12 (Rhodes-Conway); Urban Design District 4; Madison Metropolitan School District.

**Existing Conditions:** The single-family residence at 1321 Everett Street occupies a 6,000 square-foot parcel located on the east side of Everett Street; 1331 Everett Street is a 0.78-acre parcel developed with 2 one-story metal storage buildings located north of the Everett Street cul-de-sac. Both properties are currently zoned C3 (Highway Commercial District).

#### Surrounding Land Use and Zoning:

North: O'Mara Moving Systems warehouse, zoned C3 (Highway Commercial District);

South: Single-family residences on the east side of Everett Street, Chet's Car Care on the west side, all zoned C3;

West: Mini-storage buildings, zoned C3; Soo Line Railroad; single- and two-family residences along Loftsgordon Avenue, zoned R4 (General Residence District);

**East:** Mini-storage buildings and single-family residences located along the Packers Avenue service road, zoned C3.

**Adopted Land Use Plan:** The Comprehensive Plan identifies the subject site and adjacent properties located north of Aberg Avenue and east of the Soo Line Railroad for Employment land uses.

The subject site is also located within the boundaries of the 2009 Northport-Warner Park-Sherman Neighborhood Plan, which recommends the western frontage of Packers Avenue north of Aberg Avenue for employment development, including the east side of Everett Street. The plan recommends that warehouses may be appropriate in this area with a utilitarian design, with building heights between one to three stories. The Northport-Warner Park-Sherman Neighborhood Plan, however, recommends the existing C3 (Highway Commercial District) zoning be maintained.

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

**Public Utilities and Services:** This property is served by a full range of urban services.

**Zoning Summary:** Proposed M1 (Limited Manufacturing District) zoning:

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	0.9-acres
Lot Width	50'	Adequate
Front Yard	0'	Adequate
Side Yards	0'	Adequate
Rear Yard	10'	Existing
Floor Area Ratio	2.0 maximum	Less than 1.0
Building Height	N/A	---
No. Parking Stalls	To be determined	TBD (see cond. #20, page 6)
Accessible Stalls	To be determined	TBD (see cond. #17, page 6)
Loading	0	0
No. Bike Parking Stalls	To be determined	TBD (see cond. #21, page 6)
<b>Other Critical Zoning Items</b>		
Yes:	Urban Design (UDD 4), Utility Easements, Barrier Free	
No:	Floodplain, Historic District, Landmark, Adjacent to Park, Wellhead Protection	
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

## **Project Review, Analysis & Conclusion**

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The applicant and property owner, Chet Hermansen, is requesting approval to demolish a single-family residence at 1321 Everett Street and to rezone that property and the adjacent commercial property at 1331 Everett Street from C3 (Highway Commercial District) to M1 (Limited Manufacturing District) to allow construction of two mini-storage warehouse buildings at the southeastern corner of the 0.9-acre overall property. The 1331 Everett Street parcel is a developed with two tall, one-story metal storage buildings located along the northern property line. The overall property is located at the northern end of Everett Street, a one-block long street that extends north from Aberg Avenue and ends in a cul-de-sac

adjacent to the subject property. Everett Street and the properties located to the east of the subject site along the one-block long Packers Avenue service road are developed with a combination of mostly one-story single-family homes and mini-storage buildings of varying sizes.

The single-family home at 1321 Everett Street to be demolished is a one-story cottage-style residence that contains two bedrooms, one bath, and an attached one-car garage, which was constructed in 1938 according to City Assessor records. The applicant has submitted a series of photos of the interior and exterior of the 624 square-foot residence that depict a building in poor condition and in need of substantial repair and modernization.

In place of the residence, Mr. Hermansen wishes to construct 2 new mini-storage warehouse buildings of similar size and design to 4 other existing mini-storage warehouses he has built adjacent to the subject site at 1326 Packers Avenue and across the Everett Street cul-de-sac at 1322 Everett. The new buildings will be prefabricated metal structures with masonry exteriors on the eastern and western end walls and the southern façade of the southern building. The southern of the two proposed warehouse buildings will occupy the portion of the subject site on which the residence is currently located, while the northern building will be placed over surface parking located south of the large warehouse buildings that occupy 1331 Everett Street, which will remain. The proposed buildings will straddle an existing public storm sewer that extends west to east along the northern edge of the residential property. The City Engineer has requested a condition of approval that Mr. Hermansen field-locate and survey the storm sewer main and easement to ensure that the proposed buildings not encroach into the easement or within 10 feet of the storm sewer main.

Storage and warehousing establishments are permitted in both the existing C3 commercial zoning and the requested M1 manufacturing zoning. However, Mr. Hermansen currently leases space on the 1331 Everett Street parcel to a landscape contracting business that uses the area located between the western warehouse building and western property line for the outside storage of landscaping materials and equipment. Contractor or construction offices, shops, and yards are permitted uses in the M1 zoning district and as conditional uses in the C3 district. However, C3 zoning does not permit outside storage of material or equipment for a contracting business, thus the request to rezone to M1 to allow the existing tenant to remain.

As noted in the preceding section, the Comprehensive Plan and Northport-Warner Park-Sherman Neighborhood Plan identify the subject site and adjacent properties located north of Aberg Avenue and east of the Soo Line Railroad for employment uses. The neighborhood plan recommends that new buildings in this area be built between one and three stories in height and specifically suggests that warehouses would be an appropriate building type in this portion of the planning area. However, the neighborhood plan also recommends that the existing C3 zoning be maintained.

Staff believes that the standards for approval for demolition permits can be met with the proposed razing of the single-family residence at 1321 Everett Street. The demolition and proposed construction of new storage buildings will allow the subject site to develop in a manner consistent with the land uses that have developed nearby over the last 30 years. In reviewing the proposed rezoning, staff believes that the request to rezone the property to M1 is generally consistent with the employment land use recommendations applicable to this site in both the Comprehensive Plan and Northport-Warner Park-Sherman Neighborhood Plan despite the latter's recommendation that the C3 zoning be maintained. While the existing and proposed warehouse buildings are allowed under the existing C3 zoning, the rezoning to M1 will allow the established contractors business to operate legally on the subject property. The Sherman Neighborhood Association has submitted a letter in support of the rezoning request (attached), and staff is not aware of any concerns or opposition to the proposed development.

The subject site is located in Urban Design District 4, which requires that the Urban Design Commission (UDC) grant approval of the development prior to the issuance of permits. The UDC reviewed the proposed mini-storage warehouse buildings and site improvements on August 8, 2012 and recommended final approval of the project (see attached report).

### **Staff Recommendations, Conditions of Approval & General Ordinance Requirements**

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 3615, rezoning 1321-1331 Everett Street from C3 (Highway Commercial District) to M1 (limited Manufacturing District), to the Common Council and **approve** the demolition permit to allow a single-family residence to be demolished and mini-storage warehouses to be constructed, all subject to input at the public hearing, and the conditions from reviewing agencies:

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

1. The proposed buildings are in very close proximity to an existing public storm sewer. Field-locate and survey the existing storm sewer and show the surveyed location on revised plans. Modify the plans to show the existing storm sewer easement. The buildings must not encroach into the easement or within 10 feet of the storm sewer. If in conflict revise the building location or enter into a Developers Agreement to relocate the storm sewer. If the storm sewer is outside the existing drainage easement a new public storm sewer easement shall be dedicated by the applicant.
  2. Revise the plans to provide basic information for all existing and proposed utilities, street right of way, property lines, dimension, and existing and proposed drainage. Additional comments should be expected once the revised plans are received.
  3. The applicant shall dedicate a new 20-foot wide storm sewer easement from the sewer main on Everett Street north through the site to the northwest corner of the property to help resolve the drainage problem. No building encroachments or improvements will be allowed within the easement. Any future storm sewer improvements made by the City to resolve the drainage issues would be assessable to any benefitting property owner within the drainage area.
  4. The proposed CSM shall be signed off by City Engineering prior to the final approval of the demolition and rezoning application.
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5. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
  6. The approval of this project does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.

7. The applicant shall replace all sidewalk and curb and gutter that abuts the property, which 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.
8. All work in the public right-of way shall be performed by a City-licensed contractor
9. All damage to the pavement on Everett Street adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria.
10. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the 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 7.5-tons per acre per year.
11. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right of way. It may be necessary to provide information off the site to fully meet this requirement.
12. The applicant shall submit, prior to plan signoff, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas lot lines; lot/ plat lines, dimensions and labels; right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
13. Prior to approval of the issuance of a demolition permit, the owner 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 deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.

**Traffic Engineering Division** (Contact Dan McCormick, 267-1969)

14. The applicant shall redesign the driveway according to the design criteria for a "Class III" driveway in accordance to Madison General Ordinance Section 10.08(4). The applicant shall dimension all driveway approaches that any two driveway approaches shall be at least 10 feet apart and in no case less than the sum of the approach flare.
15. When the applicant shall submit plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing and proposed property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, semitrailer movements and vehicle routes, dimensions of radii,

aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'. Contact City Traffic Engineering staff if you have questions.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

16. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
17. Parking requirements for persons with disabilities must comply with MGO Section 28.11(3)6.(m) which includes all applicable State accessible requirements, including but not limited to:
  - a.) Show the accessible path from the stalls to the building.
  - b.) Show accessible ramps that are not within the striped out area, curbs or wheel stops where needed.
18. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15 and 20 feet of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. All plant materials in islands shall be protected from vehicles by concrete curbs.
19. Per the submittal, the proposed and existing buildings will cater to land uses identified as permitted uses in the M1 Limited Manufacturing District. Each individual building or tenant space will require a separate Certificate of Occupancy for each individual land use proposed or each space in each building.
20. The required number of parking spaces will be determined at the time the specific land use/occupancy for the tenant spaces is requested. For example, the following requirements would apply:
  - a.) Manufacturing and warehousing establishments, contractor shops, production and processing facilities, research and development and testing facilities: 1 space per 2 employees.
  - b.) General commercial uses: 1 per 300 square feet of gross floor area.
  - c.) Office uses: 1 space per 400 square feet of gross floor area.
21. Provide required bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The amount of bike stalls shall be determined at the time the Certificate of Occupancies are requested. Note: A bike parking stall is 2 feet by 6 feet with a 5-foot access area.
22. Show driveways on final site plans.
23. If exterior lighting is provided, it must comply with City of Madison outdoor lighting standards, MGO Section 10.085.
24. There are existing buildings shown on the north end of the site. No detail has been provided as to the use of these buildings; it is assumed that this portion of the development will come forward at a later date, and be developed in consistency with the zoning requirements.

**Parks Division** (Contact Kay Rutledge, 266-4714)  
This agency did not submit comments for this request.

**Fire Department** (Contact Bill Sullivan, 261-9658)  
The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Please consider allowing the Madison Fire Department to conduct training sequences on this site prior to demolition. Contact the MFD Training Division at 246-4587 to discuss this possibility.

**City Assessor's Office** (Contact Maureen Richards, 266-4845)  
This agency did not submit comments for this request.

**Water Utility** (Contact Dennis Cawley, 261-9243)

25. The Madison Water Utility shall be notified to remove the water meter prior to demolition. In accordance with MGO Section 13.21, all wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility, and all unused private wells shall be abandoned.

**Metro Transit** (Contact Tim Sobota, 261-4289)  
This agency did not submit comments for this request.