



Project Address: 5775 Tokay Boulevard & 5472 Odana Road
Application Type: Demolition Permit
Legistar File ID # [35557](#) and [35814](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Jay Wendt, Principal Planner

Summary

Applicant: Jim Triatik; Sullivan Design-Build; 1314 Emil Street; Madison, WI 53713

Contact: Same as the applicant

Property Owner: Allen Foster; Smart Motors; 5901 Odana Road; Madison, WI 53719

Requested Action: The applicant requests approval of a demolition permit. The site is within Urban Design District 3.

Proposal Summary: The applicant proposes to demolish an existing office building for the purpose of constructing an expanded parking lot serving the adjacent automobile dealership.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO Section 28.185(7)]. The new parking lot is also subject to the standards for Urban Design District 3 [MGO Section 33.24(10)].

Review Required By: Urban Design Commission and Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish an office building to expand the automobile parking lot. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 3.6-acre subject property is located on the north side of Odana Road, approximately 300 feet east of its intersection with Tokay Boulevard. The site is within Urban Design District 3 and Aldermanic District 19. The site is within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes an existing office building.

Surrounding Land Use and Zoning:

North: The balance of the Smart Motors site with television station beyond (zoned CC-T Commercial Corridor Transition) District;

South: Dental office and funeral home, zoned CC-T);

East: Auto dealership (zoned CC-T); and

West: Auto dealership (zoned CC-T).

Adopted Land Use Plan: The Comprehensive Plan recommends general commercial uses for this site.

Zoning Summary: The property is zoned CC-T (Commercial Corridor Transition)

A summary table from Zoning was not provided in time to be included within this report.

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.

Project Description, Analysis, and Conclusion

The applicant, Smart Motors, requests approval to demolish an existing office building for the purpose of constructing an expanded parking lot for their adjacent auto sales facility. This request is subject to the approval standards for demolition permits. In addition, the proposed parking lot is subject to the standards for Urban Design District 3.

The building proposed for demolition is a one-plus story wood-frame structure. No information on the building's condition was provided in the application. Exterior photographs were included by the applicant and do not appear to depict structural or other issues. These photos can be viewed online at:

http://www.cityofmadison.com/planning/projects/reports/5712or_photos.pdf

The proposed future use is to construct an expanded 95-stall surface parking lot for Smart Motors. In total, there would be 289 stalls on this 3.6 acre property. A majority of these- 282 stalls, are dedicated to sales inventory. The letter of intent states that a portion of this site is planned to include a new pre-owned auto sales building, though that is not anticipated to occur for two years.

The Planning Division's primary concern on this proposal is landscaping, and specifically the adequacy of the frontage landscaping proposed along Odana Road. Staff notes that if approved, there will be approximately 670 feet of uninterrupted Odana Road frontage lined with surface parking or driveways and deep building setbacks. Staff believes that significant landscaping improvements are necessary to satisfy the Demolition and Urban Design District 3 standards.

In considering the demolition standards, the Plan Commission must find that the proposed demolition and the future use are compatible with the purpose of the demolition section of the code and the intent and purpose expressed for the CC-T district. The demolition standards also state that the proposed use should be compatible with adopted plans. Staff notes that automobile dealerships are permitted uses within the CC-T district. The use is consistent with the Comprehensive Plan's recommendation for general commercial uses which include automobile-oriented uses including vehicle sales facilities. No objections to this demolition were raised by the Preservation Planner or by the Landmarks Commission.

While the proposed use is permitted by zoning and recommended in adopted plans, the demolition standards also require a finding that the proposed use is compatible with the purpose of the intent and purpose expressed for the CC-T district, which states, in part:

The CC-T District is established to recognize the many commercial corridors within the City that remain largely auto-oriented, and encourage their transformation into mixed-use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity. The district is also intended to improve the quality of landscaping, site design and urban design along these corridors...

Urban Design District 3 (UDD 3) was established to make Odana Road and adjacent areas an “attractive visual experience” and to preserve and enhance the property values in the district. The specific standards for “Landscaping” [Sec 33.24(10)(c)1] requires landscaping be used for a functional as well as decorative purpose, including framing desirable views, screening unattractive features and views along the roadway. The specific standards for “Parking and Service Areas” [33.24(10)(c)5] require that off-street parking areas shall have effective screening on any public or private street. Screening vegetation is required to be planted at a minimum height of 30 inches and grow to a mature height of 54 inches.

The original plans submitted with this application utilized a portion of newly acquired Odana Road right-of-way for this frontage landscaping. This is not permitted and revised plans for the Urban Design Commission were provided on November 11, 2014 to remove the proposed encroachments. Small corresponding adjustments to the parking area were proposed.

The proposed frontage landscape area is now a five-foot strip on the subject site. A two-foot wide vehicle “overhang” is included within this area, which is anticipated to conflict with the proposed plantings. The proposed plans include a single row of small plantings, consisting of Magic Carpet Spirea, Compact Arcadia Juniper, and Hetz Midget Arborvitae. Staff does not believe that these species, by themselves, provide the height required by the UDD 3 ordinance. Staff also believes that this planting area should be of a minimum depth of 10 feet and provide for at least two rows of plantings to provide a more substantial and interesting landscaped frontage.

With significant improvements to the frontage landscaping, the Planning Division believes that the proposal can meet the applicable standards. The use is both permitted by Zoning and recommended for this area in the Comprehensive Plan. Considering the long, uninterrupted parking lot frontage that will result, the Division believes that the placement of the future sales building will be a critical factor in the longer-term aesthetic quality of this development. Under the site’s CC-T zoning, the permitted maximum front setback is 65 feet, allowing for a drive aisle and one row of parking between the building and street. While a greater front setback can be allowed with conditional use approval, the Division recommends the applicant utilize a minimal setback as future plans are developed. At the time of report writing, staff was not aware of other concerns on this proposal.

Recommendation

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish an office building to expand the automobile parking lot. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

1. Except as noted, agency comments provided to the Plan Commission are based on the original submittal and the revised plans submitted November 11, 2014 were not provided to staff received in time to be reviewed by other City Agencies. If approved, the alternative site plan is subject to additional agency comments related to the proposed changes.
2. That the applicant shall revise the site and landscape plan to increase the frontage landscaping. The portion of the frontage landscape area along Odana Road that is currently part of the existing office development shall be increased to have a minimum depth of 10 feet (not including right-of-way). The planting plan shall be revised and include a revised plantings/plant schedule that provides additional plantings with height that complies with applicable ordinances. Final details shall be approved by staff.
3. Along with the requirements of Urban Design District 3, the future development of the parking lot is subject to Plan Commission approval. The standards of 28.185 (8) shall apply in addition to other applicable standards for the review of future development.

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

4. Correct the boundary and legal description of the parcel shown on the plans. Certified Survey Map No. 13717 was recently recorded. The Certified Survey Map dedicated additional lands along Odana Road that the plans are not correctly acknowledging.
5. Upon correcting the location of the right of way of Odana Road, applicant shall make any adjustments that may be needed in regard to the location of the proposed improvements shown on the plan to comply with any required zoning setbacks. Contact City of Madison zoning staff regarding zoning setback requirement questions.
6. The site plan is proposing parking lot improvements within private easements. Applicant/owner is responsible to confirm and comply with any conditions and/or restrictions regarding those easements.
7. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
8. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
9. 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.
10. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)

11. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Reduce TSS off of the proposed development by 80% when compared with the existing site; b) Provide oil & grease control from the first 1/2" of runoff from parking areas; and c) 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 the Madison General Ordinances.
12. 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, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
13. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including a) SLAMM DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc; and d) Sediment loading calculations.
14. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which 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 go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
15. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))

Traffic Engineering Division (Contact Eric Halvorson, 266-6572)

This agency submitted a report with no conditions on the original submittal or the revised plan.

Zoning Administrator (Contact Pat Anderson, 266-5978)

Comments were not received in time to be included within this report.

Water Utility (Contact Dennis Cawley, 261-9243)

16. The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well

operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency submitted a report with no recommended conditions of approval.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.