

PLANNING DIVISION STAFF REPORT

May 6, 2019



Project Address: 4082 Hoepker Road (17th Aldermanic District – Ald. Baldeh)
Application Type: Demolition
Legistar File ID # [55173](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Wade Willinger; Vermeer-Wisconsin, Inc.; W3090 County B; PO Box 160; West Salem, WI 54669

Contact: Dom Ferrante/Mike Miksich; Briohn Design Group/Briohn Building Corp.; 3885 N. Brookfield Rd., Suite 200; Brookfield, WI 53045

Owner: John Willinger; Vermeer-Wisconsin, Inc.; W3090 County B; PO Box 160; West Salem, WI 54669

Requested Action: Approval of a demolition permit to demolish a commercial shop building at 4082 Hoepker Road to construct a commercial shop building in the Industrial - Limited (IL) zoning district. The proposed use is a permitted use.

Proposal Summary: The applicant is seeking the approvals to demolish an existing commercial shop building at 4082 Hoepker Road and construct a replacement commercial building with repair bays, showroom, and office space.

Applicable Regulations & Standards: Section 28.185 M.G.O. provides the process for demolition and removal permits.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to demolish the commercial shop building at 4082 Hoepker Road and construct a larger commercial shop subject to input at the public hearing and the conditions from reviewing agencies in this report.

Background Information

Parcel Location: The subject site is a 4.8-acre parcel located on the north side of Hoepker Road, adjacent to and immediately west of Interstate 39/90/94. It is within Aldermanic District 17 (Ald. Baldeh) the De Forest School District.

Existing Conditions and Land Use: 4082 Hoepker Road is currently occupied by a two commercial shop and storage buildings. The site is zoned IL (Industrial - Limited District).

Surrounding Land Uses and Zoning:

Northeast: Across Interstate 39/90/94, vacant land zoned A (Agriculture district);

South: Across Hoepker Road, a manufacturing building zoned IL (Industrial-Limited district); and

West: Vacant land and a small commercial shop building zoned IL and a stormwater facility zoned CN (Conservation district).

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Industrial land uses for the site. The [Hanson Road Neighborhood Development Plan](#) (2000) also recommends Industrial land uses for the site.

Zoning Summary: The subject property is zoned IL (Industrial - Limited District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	221,938.09 sq. ft.
Lot Width	75'	468.93'
Front Yard Setback	None	108.0'
Side Yard Setback	None if adjacent to property zoned IL or IG 10 if adjacent to property zoned anything other than IL or IG	121.7'
Rear Yard Setback	30'	Adequate
Maximum Lot Coverage	75%	Less than 75%
Maximum Building Height	None	2 stories

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	38
Accessible Stalls	Yes	2
Loading	None	None
Number Bike Parking Stalls	Machinery equipment sales and service (as determined by Zoning Administrator): 1 per 4,000 sq. ft. interior floor area (4)	2 (see Zoning comment 4)
Landscaping and Screening	Yes	Yes (see Zoning comments 5-8)
Lighting	Yes	Yes
Building Forms	Yes	Industrial building

Other Critical Zoning Items	Barrier Free (ILHR 69), Utility Easements
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Table prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services.

Project Description, Analysis, & Conclusion

The applicant, Vermeer Wisconsin, a construction equipment company, is seeking a demolition permit to demolish a commercial shop building at 4082 Hoepker Road in order to construct a single-tenant commercial shop for equipment sales and service. There are currently two buildings on the site: a 6,000-square foot metal building built in 1980 to the west and a 5,800-square foot metal building to the east, which was originally constructed in 1961 that has expanded with several additions over the subsequent decades. Due to business growth, the applicant intends to demolish the smaller, easternmost of the two buildings, and replace it with a 15,000 square foot facility. [Photos](#) provided by the applicant show the building proposed for demolition to be an older metal building with cracked concrete floors and a variety of interior building materials, including sheet metal panels, plywood and particle board, and plastic-faced insulation. Approximately half of the proposed building's floorplate will be service bays for equipment service, repair, and washing. The other half is proposed

to be used for offices, service support, and a showroom. A mezzanine over the southern third of the building includes a training room and flex area.

The new building will be constructed of pre-cast concrete wall panels, painted in three shades of tans/browns, with various layers of horizontal banding and several painted vertical elements. The southern elevation, facing Hoepker Road, features first- and second-floor windows, an entry door, and a corner sunshade element that wraps around to the west façade, where the primary entrance is located. The long west and east (side) elevations also feature first- and second-floor windows nearer Hoepker Road and large overhead doors for the service bays. The applicant is proposing parking for 38 vehicles around the office and showroom portions of the building, as well as asphalt paving of a portion of the southern 400 feet of the lot for equipment parking, circulation, and access to the service bays. North of the paved area and behind a chain link fence and gate, the applicant proposes a 1.4-acre gravel area for equipment and vehicle storage. A stormwater facility is proposed for the far north corner of the site. Six trees behind the building are proposed to be removed to accommodate the larger new building. The other, westernmost building is currently used for cold storage. The applicant has indicated they intend to continue this use.

This request is subject to the standards for demolition permits. Machinery Equipment Sales and Service is a permitted use in the IL district per MGO §28.088(2).

The [Comprehensive Plan](#) (2018) identifies the subject site for industrial uses, which accommodates manufacturing, wholesale, storage, distribution, transportation, repair and maintenance, and utility uses. The [Hanson Road Neighborhood Development Plan](#) (2000) also recommends Industrial land uses, which is intended to accommodate mainly light manufacturing, assembly, and warehouse/distribution facilities.

In order to approve a demolition request, M.G.O §28.185(7) requires that the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section of the zoning code and the intent and purpose of the IL (Industrial - Limited) Zoning District. Per MGO §28.088(1), the Industrial - Limited district “provides for a mix of light manufacturing uses, offices, warehousing, flex-space, limited storage and warehousing, and limited retail and service uses that primarily serve the industrial uses, designed with adequate landscaping and screening, to ensure compatibility with adjoining uses. Industrial districts typically require relatively direct access to the regional highway system, and may require rail or air transportation service.” The demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. At its March 25, 2019 meeting, the Landmarks Commission found that the existing building at 4082 Hoepker Road has no known historic value.

Because of the replacement of an older, lower quality building with a higher-quality building promoting the land uses and purposes intended for this area in adopted plans and zoning ordinances, the Planning Division believes that the Plan Commission can find the standards for demolition met with the request to raze the existing building to construct a commercial shop.

A time of report writing, Staff is unaware of any public comment regarding this request.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to demolish an existing commercial shop building to construct a larger commercial shop building at 4082 Hoepker Road, subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval: Major/Non-Standard Conditions are Shaded

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

1. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
2. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
3. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
4. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of four (4) short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
5. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect. On the landscape plan, label and number the proposed trees and plantings with the planting code in addition to the identification symbol.
6. Provide adequate development frontage landscaping per Section 28.142(5) Development Frontage Landscaping. Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. One (1) overstory deciduous tree and five (5) shrubs shall be planted for each thirty (30) lineal feet of lot frontage. Two (2) ornamental trees or two (2) evergreen trees may be used in place of one (1) overstory deciduous tree. Note that landscaping must be installed on the private property.
7. Provide a detail of the screening for the outdoor storage area. Outdoor storage shall be completely screened from any adjacent street, sidewalk, public walkway or public park. Outside storage shall be effectively screened between six (6) and eight (8) feet in height. Storage shall not exceed the height of the screening. Storage and loading areas shall be screened from direct view from the street, including views down access driveways.

8. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure if provided outside the building.
9. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
10. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

City Engineering Division (Contact Brenda Stanley, 261-9127)

11. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
12. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Hanson Road Neighborhood Sewer and Water Assessment District.
13. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.
14. This property has deferred assessments for the Interstate Commerce Park Phase 1 assessment district that will be due upon connection to sewer.
15. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
16. A portion of this project may come under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
17. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas

- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines or parcel lines if unplatted
- g) Lot numbers or the words unplatted
- h) Lot/Plat dimensions
- i) Street names
- j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
- k) Private on-site storm sewer utilities (including all connections to public storm)

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

18. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. PDF submittals shall contain the following information:
- a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street names
 - j) Stormwater Management Facilities
 - k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
19. 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
 - d) Sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
20. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at

ttroester@cityofmadison.com, or Daniel Olivares at DAOlivares@cityofmadison.com final document and fee should be submitted to City

21. 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 5.0 tons per acre per year.
22. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. 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>
23. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10, & 100 -year storm events, matching post development rates to predevelopment rates.
24. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls.
25. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of the Madison General Ordinances.
26. 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.
27. The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of Hoepker Road in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
28. The approval of this zoning approval 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.
29. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
30. The Applicant shall Construct Sidewalk along Hoepker Road to a plan approved by the City

31. The construction of this project will require that the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

32. The Applicant shall Dedicate a 15 foot wide strip of Right of Way along Hoepker Road.

33. The proposed site plan shows a storm water sedimentation basin, proposed landscaping, proposed paving and a temporary topsoil stockpile within the Transmission Line Easement now owned by ATC. (Doc 1731296). The easement restricts the change of grade and the planting of trees within the easement area. Applicant shall provide written proof that ATC has permitted the proposed grade changes and landscaping or revise the plan to avoid incursions into the easement.
34. The applicant shall Dedicate a Permanent Limited Easement for grading and sloping 20 feet wide along new Right of Way of Hoepker Road.
35. Remove all references that show W Hoepker Rd. The street name is Hoepker Rd (no "W").
36. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
37. The address of the new building remains 4082 Hoepker Rd. The existing building to remain has an address of 4080 Hoepker Rd. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

38. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
39. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
40. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
41. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

42. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
43. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
44. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
45. "Stop" signs shall be installed at a height of seven (7) feet at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
46. Dimensions of the driveways shall be noted on the plan including the width of driveway and width of driveway flares or curb cut.
47. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
48. All sidewalks next to buildings shall be 6' in width.

Fire Department (Contact Bill Sullivan, 261-9658)

49. The fire access lanes are required to be within 500-ft of (2) fire hydrants. An additional private fire hydrant appears to be required.
50. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Tracy Burrus at tburrus@cityofmadison.com or (608)266- 5959.

Water Utility (Contact Adam Weiderhoeft, 266-9121)

51. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.
52. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire

service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Forestry Division (Contact Brad Hofmann, 267-4908)

53. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
54. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.