

PLANNING DIVISION STAFF REPORT

May 7, 2014

PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION



Project Address: 4602 East Washington Avenue
Application Type: Conditional Use
Legistar File ID #: [33457](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant/Owner: Ryan Conrad; ECC Washington Avenue Property, LLC; 8500 Keystone Crossing, Ste 160; Indianapolis, IN 46240

Contact: Ryan Quam; Quam Engineering, LLC; 4604 Siggelkow Rd., Ste. A; McFarland, WI, 53558

Requested Action: Approval of the demolition of an existing commercial building for construction of a new commercial building in the CC-T (Commercial Corridor-Transitional) zoning district.

Proposal Summary: The applicant proposes to demolish an existing two-story, 12,700 square foot office building recently for construction of a one-story 7,200 square foot multi-tenant commercial building and associated surface parking.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition (MGO Section 28.185), and to the standards for new development in Urban Design District 5 (MGO Section 33.24(12))

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

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards can be met and **approve** the request at 4602 East Washington Avenue. 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: 4602 East Washington Avenue is located at the northeast corner of East Washington Avenue and Columbus Lane; Urban Design District 5; Commercial Corridor-Transitional (CC-T) District; Aldermanic District 17 (Clausius); Madison Metropolitan School District.

Existing Conditions and Land Use: The property is developed with a two-story, 12,700 square foot building recently used as an office for Badgerland Farm Credit. Constructed in 1963, the building is in fair condition, and located in the southwest corner of the property. Aside from a few small landscaped areas, the rest of the property is utilized for surface parking. Access to the site is provided from two driveways along Columbus Lane and a third driveway from the East Washington Avenue Frontage Road.

Surrounding Land Use and Zoning:

North: 60-unit multi-family building complex in the PD (Planned Development) District

East: Contractor's offices (carpet sales) in the CC-T District

South: Across East Washington Avenue to the south, restaurants and banks in the CC-T District

West: Across Columbus Lane to the west, a multi-tenant commercial building with surface parking in front, also in the CC-T District.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends General Commercial uses for this side of the East Washington Avenue corridor in this area. There is no more detailed neighborhood plan for this area.

Zoning Summary: This property is in the CC-T District.

Dimensional Requirements	Required	Proposed
Front yard setback	0'	6.3'
Side yard setback:	0	LS123.32', 35.7'RS
Rear yard setback	20'	52.9'
Maximum lot coverage	85%	75%
Maximum height	5 stories / 68	1 story / 24'

Site Design	Required	Proposed
Number parking stalls	TBD, depending on uses	49
Bike parking	TBD, depending on uses	4
Landscaping	Yes	Yes
Lighting	Yes	Yes
Accessible stalls	2	2
Loading	No	No
Other Critical Zoning Items: UDC (UDD #5), Utility Easements, Barrier free (ILHR 69)		

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

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

The applicant proposes to demolish an existing two-story office building and locate a new two-tenant commercial building in roughly the same place on the southwest corner of the property.

The proposed two-tenant commercial building is approximately 80 feet deep and 90 feet wide, and is set back 36 feet from the East Washington Avenue Frontage Road and 6 feet from Columbus Lane. As proposed, the three existing access driveways would remain in the same location, but would be widened to accommodate two-way traffic. 43 surface parking stalls are located behind the building to the north, and 6 additional stalls are located just east of the building. Pedestrian access is provided on a sidewalk with stairs leading from the East Washington Avenue Frontage

There are some inconsistencies among plan components regarding the location of building entrances. The site plan shows entrances to each of the commercial spaces from the south side of the building facing the East Washington Avenue Frontage Road, as well as entrances to each tenant space on the north side of the building. On submitted elevations and floor plans, only one of the tenant spaces has an entrance on the south side of the building.

The building architecture is relatively simple, and appears to meet the requirements in the zoning code for mixed-use and commercial buildings. Primary exterior materials include utility brick base, standard brick veneer on most of the facade, and glass. All four sides of the building have ample storefront windows. Signable areas on the upper portion of the building and the cornice are proposed as EIFS.

Project Analysis and Conclusion

Demolition

Staff notes that following a February 17 review of this and other buildings proposed for demolition, the Landmarks Commission has strongly discouraged the demolition of the building as a fine example of 1950s architecture. The preservation file notes that the 1963 building designed by Jack Klund of Klund, Knutson, and Associates as the Production Credit and Federal Land Bank Association Building is a “pristine example of 1950s design”. The Landmarks Commission will not formally review this proposal, but as noted in the demolition standards, the Plan Commission shall consider their report when making a decision.

The requested demolition and the proposed use are compatible with the demolition standards and the intent and purpose for the CC-T zoning district. Further, the proposal is consistent with the General Commercial land uses recommended in the Comprehensive Plan. The proposed building is sited on the southwest corner of the property, which is consistent with zoning requirements and similar to the placement of the existing building, so it will support normal and orderly development and improvement of surrounding properties.

Finally, staff believes that the relocation of the brick and stone building would be very difficult, although many materials should be able to be salvaged if the building is demolished. Due to the topography of the site, much of the first floor of the building is technically a basement, making relocation all the more improbable.

Staff agrees that the architecture of the existing building is unique example of 1950’s design along this corridor. However, on balance, staff believes that the demolition standards in MGO Section 28.185 (7)(a) can be met with this proposal.

Urban Design District 5 Requirements

Staff believes that the requirements for new development in Urban Design District 5 can be met with the proposal, but the UDC should ensure that lighting and signage requirements are met.

1. Public Rights-of-Way

- i. *Public Rights of Way shall be landscaped with appropriate trees and shrubs in accordance with planting plans prepared by the City Forester, after consultation with the Urban Design Commission*

Landscaping in the public right-of-way was not a part of the submittal. The terrace along Columbus Lane is 7.5 feet wide, and may be too narrow to support trees. The terrace along the East Washington Avenue Frontage Road is slightly wider at 8.5 feet, and may be able to support trees. Staff defers to the City Forester on this issue.

2. Off-street Parking and Loading Areas

- i. *Parking lot landscape plans shall be developed in accordance with the revised New Approach to Parking Lot Landscaping adopted by the Common Council by Substitute Resolution No. 37,196, copies of which are on file with the City Clerk and available in the Department of Planning and Community and Economic Development.*
- ii. *The quantity of parking and service areas as well as the tree islands on the interior of new parking areas shall conform to the provisions of Chapter 28 of the Madison General Ordinances. No new parking space shall be more than seventy (70) feet from a canopy tree of at least 2 ½ - 3-inch caliper.*

Staff believes that these requirements can be met, but only once parking stalls over and above the maximum allowable for retail uses are removed from the plans (see Condition No. 1). Maximum parking allowable for retail users is 1 stall per 200 square feet of interior space (35 stalls). Once tenants are identified, the applicant may work with Zoning staff to pursue an increase to the number of stalls. At this time, staff recommends that the twelve stalls along the rear of the property and two stalls elsewhere on the site be removed and replaced with grass and landscaping.

It appears that the last portion of this requirement has been met, as all stalls are within 70 feet of a proposed maple tree with a 2 ½ inch caliper.

3. Street Graphics

- i. *Street graphics in the District shall conform to all provisions of Chapter 31 of the Madison General Ordinances.*
- ii. *Street graphics shall be integrated with the architecture of the building.*
- iii. *No street graphic nor part of any street graphic shall move, flash, sparkle, rotate or change its message or its illumination more than once an hour.*

Signage was not part of the submittal reviewed by staff.

4. Building Design

- i. *Exterior building materials shall be low maintenance and harmonious with those used on other buildings in the area.*

Staff believes that this requirement can be met with what is essentially a brick building with a high proportion of glass, EIFS signable areas and an EIFS cornice.

- ii. *Mechanical elements mounted on the roof or on ground pads shall be screened from views from adjacent properties and roadways in a manner consistent with requirements of public utilities.*

Submitted plans do not clearly demonstrate that this requirement is met, but it will be required by the zoning code in the CC-T District

5. Lighting

- i. *The functions of exterior lighting on private property shall be to illuminate building facades, especially those bearing business identification signs; to illuminate pedestrian walks and spaces; and to illuminate parking and service areas.*
- ii. *The choice of equipment, design, quantity, and placement of on-site lighting shall relate to these functions.*
- iii. *Lighting shall be adequate but not excessive.*
- iv. *The height and number of lighting standards shall be appropriate to the building and its function and to the neighborhood.*
- v. *Off-street parking area lighting shall be so arranged as to conform with applicable sections of Sections 10.08 and 10.085 of the Madison General Ordinances.*

Lighting was not part of the submittal reviewed by staff.

5. Landscaping

- i. *Landscaping shall be used for functional as well as decorative purposes, including framing desirable views, screening unattractive features and views along the roadway, screening different uses from each other, and complementing the architecture of the building.*
- ii. *In new developments, the quality of existing vegetation shall be assessed and integrated into the site planning and landscape design, when appropriate.*

Staff believes that the landscape plan generally meets these requirements, noting that two existing canopy trees are being maintained along the west side of the property.

Staff believes that the proposal can meet both the demolition standards for approval and the requirements for new development in Urban Design District 5, so long as future lighting and signage plans sufficiently address the UDD 5 requirements.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the demolition standards can be met and **approve** the request at 4602 East Washington Avenue. 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. Plans shall be revised to show no more than the maximum allowable parking for retail users (1 stall per 200 square feet, or 36 stalls). Once users for the tenant spaces are identified, the applicant could propose the addition of parking stalls over and above the maximum, but this would require either administrative approval or conditional use approval following the demonstration of a need for the additional stalls (see also Zoning Condition No. 27).
2. Revised elevations and floor plans shall include functional entrances on the south side of the building to both tenant spaces, as shown on the proposed site plan.
3. Signage and lighting plans meeting the requirements of Urban Design District 5 shall be submitted for review and approval by Urban Design staff and by the Urban Design Commission if deemed necessary by staff.

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

4. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
5. The property boundary and dimensions shall be revised to match the pending Certified Survey Map.

6. The primary entrance to the two tenant spaces is located on the north side of the building with primary access off of Columbus Lane. Therefore, the address for what you have marked as Suite A is 2201 Columbus Lane and what you have marked as Suite B is 2205 Columbus Lane.
 7. Roof and site drainage shall be connected to the storm sewer and shall not be allowed to discharge over the sidewalk.
 8. The applicant shall revise the plans to show removal of existing clay sewer lateral and installation of a new PVC sewer lateral. The existing clay lateral will not be allowed to remain beneath the proposed infiltration area.
9. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
 10. *Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.* The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6)). This permit application is available on line at: <http://www.cityofmadison.com/engineering/permits.cfm>.
 11. The Applicant shall replace all sidewalk and curb and gutter which 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 (POLICY).
 12. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).
 13. All damage to the pavement on East Washington Frontage Road, Columbus Lane, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
 14. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
 15. The site plans shall be revised to show the location of all rain gutter down spout discharges (POLICY).
 16. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used (POLICY AND MGO 10.29).
 17. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 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.
 18. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required (NOTIFICATION).
 19. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to reduce TSS off of the proposed development by 80% when compared

with the existing site, and 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 MGO Chapter 37.

20. 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 (POLICY).
21. The Applicant shall submit, prior to plan sign-off, 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:
- 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) All Underlying Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words “unplatted”
 - h) Lot/Plat dimensions
 - i) Street names

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

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file (POLICY and MGO 37.09(2) & 37.05(4)).

22. 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)
23. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Mgmt 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 (POLICY and MGO 37.09(2)).

24. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction MGO 37.05(7). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
25. 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)).
26. 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 Dailey (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)).
27. 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 (POLICY).

Zoning Administrator (Contact Pat Anderson, 266-5978)

28. The proposed development will provide 49 parking stalls, likely exceeding the maximum allowed parking for uses in the two tenant spaces. Since there are no proposed uses at this time, the maximum parking requirement cannot be calculated. Per Sec. 28.141(6), up to a 20 stall increase above the maximum allowed parking may be administrative approved by the Zoning Administrator. Prior to building permit issuance, information regarding the proposed tenants shall be provided so the maximum parking may be calculated. Please note, Conditional Use approval may be required if proposed occupancies exceed allowable maximum parking requirements.
29. Sec. 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, Mr. George Dreckmann. (608-267-2626).
 30. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
 31. Sec. 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
 32. 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 prior to sign installations.
 33. Bike parking shall comply with City of Madison General Ordinances Table 28I-3 (General Regulations). Since individual tenants are not known at this time, additional bike parking beyond the four spaces shown on the site plan may be required prior to zoning approval for certain uses. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Provide details of bike rack on final plan sets.
 34. Pursuant to Sec. 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.
 35. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets, with the final plan submittal.
 36. No rooftop mechanical equipment is shown on submitted plans. Per Sec. Sec. 28.060(2)(f) and 28.142(9)(d), any rooftop equipment shall be screened from view.
 37. Provide detail for refuse enclosure per sec. 28.142(9)(a).

Traffic Engineering (Contact Eric Halvorson, 266-6527)

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; 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).

Madison Fire Department (Contact Bill Sullivan, 261-9658)

42. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
43. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt. Scott Bavery, (608) 576-0600.

Parks Division (Contact Kay Rutledge, 266-4714)

44. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in Section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
45. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. Please reference ID# 14123 when contacting Parks about this project.

No other agencies submitted conditions of approval for this request.