



Report to the Plan Commission

January 10, 2011

Legistar I.D. #20952
1609 North Stoughton Road
Demolition Permit

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Approval to demolish a fire-damaged commercial building with no proposed alternative use.

Applicable Regulations & Standards: 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 find that the standards for demolitions are met and **approve** a demolition permit for 1609 North Stoughton Road, subject to input at the public hearing and the conditions recommended by reviewing agencies.

Background Information

Applicant & Owner: Robert H. Letzing; 9 Mountain Ash Trail; Madison, WI 53717

Contact: Tom Contreras; T.C. Carpet Care; 231 North Fair Oaks Avenue; Madison, WI 53714

Proposal: The applicant proposes to demolish a vacant, fire-damaged commercial building with no proposed future use.

Parcel Location: The subject site is a 0.67 acre (29,050 square foot) property located along the east side of North Stoughton Road, roughly 800 feet north of its intersection with East Washington Avenue. The property is located within Aldermanic District 17 and the Madison Metropolitan School District.

Existing Conditions: This irregularly-shaped property includes two buildings. The principal building is the fire damaged one-story building located closest to North Stoughton Road. A large one-story building sits behind the subject building and is utilized for storage uses. The Zoning Administrator has determined that building is currently an accessory structure. Further discussion is included in the *Analysis, Evaluation, and Conclusion* section of this report.

Surrounding Land Use and Zoning: This site is immediately surrounded on the north, south, and east by other commercial buildings, zoned C3-L (Commercial Service and Distribution District). Single-family residential properties zoned R2 (Single-Family Residence District) are beyond this site. North Stoughton Road bounds the property to the west, with office developments, zoned PUD-SIP (Planned Unit Development-Specific Implementation Plan), beyond.

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

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.

Zoning Summary: The property is zoned C3L (Commercial Service and Distribution District)

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	29,050 sq. ft.
Lot width	50'	Adequate
Front yard	0'	n/a
Side yards	0'	n/a
Rear yard	10'	n/a
Floor area ratio	2.0	-
Number parking stalls	n/a	TBD with future use
Accessible stalls	n/a	TBD with future use
Loading	n/a	TBD with future use
Number bike parking stalls	n/a	TBD with future use
Landscaping	n/a	TBD with future use
Other Critical Zoning Items	Barrier free (ILHR 69)	

Table prepared by Matt Tucker, Zoning Administrator

Analysis, Evaluation, & Conclusion

The applicant requests approval to demolish a fire-damaged commercial building with no proposed alternative future use at this time. This request is subject to the demolition standards of Section 28.12 (12) of the Zoning Ordinance.

The subject property is located along the east side of North Stoughton Road, roughly 800 feet north of its intersection with East Washington Avenue. This irregularly-shaped property includes two buildings. The principal building is the fire damaged one-story structure located closest to North Stoughton Road. Planning Division staff have not conducted a formal inspection of the structure. Photos of the building have been provided and appear to show extensive damage. These are available for online viewing from the following site: http://www.cityofmadison.com/planning/projects/reports/1609nsr_photos.pdf Staff believe there would be limited economic feasibility in rehabilitating this particular structure. The City's Preservation Planner has reviewed this request and did not raise objections to the proposed demolition.

At this time, that building is the only structure proposed for demolition. A large one-story metal building sits behind the subject building that has previously been used for storage purposes. The Zoning Administrator has determined that this building is currently an accessory structure. The applicant indicates he does not want to demolish that building at this time. Provided this building is an accessory building, Plan Commission approval for demolition is not required. In meetings with the applicant, the Zoning Administrator indicated that this building would be considered a principal structure if it is the only building on site. In that scenario, the ordinance would require the future demolition of that building to also be approved by the Plan Commission. The Zoning Administrator also indicated this property must go through the administrative site plan review process prior to occupancy permits being issued for a new user of that building.

Please note, the site plan provided by the applicant includes only limited detail. For informational purposes, staff has provided an existing on-file boundary survey better depicting the existing site conditions.

Upon demolition, the applicant indicates the area on which the building sits will be re-seeded with grass. No other site plan changes are proposed. For applications to demolish a non-residential building without a proposed alternative use, the Plan Commission must find that the use, bulk, and design requirements of the existing zoning district are adequate to ensure that development will conform to existing adopted plans. Considering the property's C3-L (Commercial Service and Distribution District) zoning and the Comprehensive Plan's recommendation for general commercial uses, staff believe this standard can be met. Staff was not aware of any objections to this proposal at the time of report writing.

Recommendation and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

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

The Planning Division recommends that the Plan Commission find that the standards for demolitions are met and **approve** a demolition permit for 1609 North Stoughton Road, subject to input at the public hearing and the conditions recommended by reviewing agencies.

The following conditions have been submitted by reviewing agencies:

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

1. The application and letter of intent are not clear. The letter states that "the" building which stands at this address is being razed, implying that only a single building currently exists on the site. According to City records, this site contains two existing buildings. The applicant shall clarify this information and provide Engineering Mapping with a detailed plan (either CAD file or PDF format) of the resultant after conditions that will follow this demolition so that City Storm Water Utility impervious records can be updated correctly for this site.
2. This property is subject to a seven (7) feet wide right-of-way reservation over the westerly seven feet for N. Stoughton Road / USH 51. Refer to Madison Common Council June 2, 1987 adopted Resolution No. 43,542 which was recorded June 8, 1987 with the Dane County Register of Deeds as Document No. 2023937. Any proposed future redevelopment plan for this site shall accomplish the dedication of this required right-of-way to the City of Madison.
3. Any work within the North Stoughton Road right-of-way will require permits from the Wisconsin Department of Transportation.
4. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.

5. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. (MGO 10.05(6)) and MGO 35.02(4)(c)(2)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
6. Prior to approval of the application, 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. (POLICY) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

Zoning Administrator (Contact Matt Tucker, 266-4569)

7. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permits being issued. NOTE: Sec. 28.12(12)(e) of the Madison 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.
8. Since no future land use is proposed for the site, all site improvements related to the principal building (such as parking and grave/storage areas) shall be removed, and the site shall be landscaped/seeded.
9. Future development shall meet applicable building and zoning ordinances, including site plan review and land use approvals. The remaining building may not be used for any purpose without first obtaining approval from the zoning office.
10. Remove driveway and apron and replace with curb and gutter, unless an arrangement is made to retain curb opening with Traffic Engineering and WisDOT. Concrete physical barriers shall be installed across the driveway at the property line to prevent ingress/egress or the parking or vehicles on site.

Water Utility (Contact Dennis Cawley, 261-9243)

11. 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.

Traffic Engineering Division (Contact John Leach, 267-8755)

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

Fire Department (Contact Scott Strassburg, 261-9843)

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

Parks Division (Contact Tom Maglio, 266-6518)

This agency did not submit a response to this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.