

PLANNING DIVISION STAFF REPORT

June 12, 2023



PREPARED FOR THE PLAN COMMISSION

Project Address: 6323-6425 Odana Road (19th Alder District – Ald. Slack)
Application Type: Demolition Permit
Legistar File ID # [77591](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Jonathan Stevens; SARA Investment Real Estate; 1955 Atwood Ave #201; Madison, WI 53704

Owner: ORR Property Group, LLC; 1955 Atwood Ave #201; Madison, WI 53704

Requested Action: Approval of demolition permits for seven office buildings at 6323-6425 Odana Road.

Proposal Summary: The applicant proposes to demolish seven two-story office buildings at 6323-6425 Odana Road. Upon demolition, the applicant intends to construct a new three-story laboratory/office building, which is a permitted use and not before the Plan Commission.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO Section 28.185(7)].

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition permit standards are met and **approve** the request to demolish seven office buildings at 6323-6425 Odana Road. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The site, which totals 6.36 acres, is located on the south side of Odana Road between South Yellowstone Drive and Research Park Boulevard. It is located within Alder District 19 (Ald. Slack) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site includes eight parcels, all of which are zoned Suburban Employment (SE) District. The table below provides information for each parcel:

Address	Use	Height (Stories)	Floor Area	Year Built
6323 Odana Rd	Office	2	5,184 SF	1978
6325 Odana Rd	Office	2	20,586 SF	1979
6333 Odana Rd	Office	2	19,712 SF	1977
6337 Odana Rd	Parking Lot	-	-	-
6401 Odana Rd	Office	2	19,512 SF	1977
6409 Odana Rd	Office	2	20,954 SF	1977
6417 Odana Rd	Office	2	19,980 SF	1979
6425 Odana Rd	Office	2	20,007 SF	1978

Surrounding Land Use and Zoning:

North: Across Odana Road one- and two-story office buildings, all zoned SE;

East: One-story office building zoned SE;

South: Across the west beltline highway, a large office and laboratory complex zoned SE; and

West: One-story auto repair businesses zoned CC (Commercial Center district).

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Employment (E) land uses for the site. The [Odana Area Plan](#) (2021) recommends General Commercial (GC).

Zoning Summary: The property is in the Suburban Employment (SE) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000	Adequate
Lot Width	65	Adequate

Other Critical Zoning Items	Utility Easements, TOD Overlay
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Prepared by Jacob Moskowitz, 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, Analysis, and Conclusion

The owner/applicant is requesting approval to demolish seven two-story office buildings at 6323-6425 Odana Road. According to the [demolition photos](#) provided by the applicant, the office buildings appears to be older and have some deferred maintenance, but without significant visible issues. The accompanying [inspection report](#), also provided by the applicant, indicates several of the buildings have issues with floor trusses, roof trusses, or both. Planning Division staff have not inspected the buildings. Following demolition, the applicant intends to construct a new three-story laboratory/office building, which is a permitted use and not before the Plan Commission. The applicant intends to begin demolition in summer 2023.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Employment (E) land uses for the site. Employment areas include predominantly corporate and business offices, research facilities, laboratories, hospitals, medical clinics, and other similar uses. Residential uses are generally not recommended, but may be considered as conditional uses. The [Odana Area Plan](#) (2021) recommends General Commercial (GC) uses, which include a wide range of retail goods and services, including certain business and professional offices. The [Odana Area Plan](#) also recommends a maximum building height of five stories.

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding

that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison.

The Planning Division believes that the standards for Demolition Permits can be met, but provides the following comments regarding standard 4, *“That the Plan Commission has received and considered the report of the City’s Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.”* At its April 3, 2023 meeting, the Landmarks Commission found that none of the seven existing buildings at 6323-6425 Odana Road have any known historic value.

Planning Division staff believe all other standards of approval can be met or are not applicable to this request.

At the time of report writing, staff is not aware of public comment regarding this proposal.

Recommendation

Planning Division Recommendation (Contact Colin Punt, 243-0455)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish seven office buildings at 6323-6425 Odana Road. 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

Zoning (Contact Jacob Moskowitz, 266-4560)

1. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.
2. Section 28.185(11)(a) A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.
3. Following approval of the demolition, a permitted use site plan review will be required for the proposed project.

Engineering Division (Tim Troester, 267-1995)

4. Close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
5. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and

requirements.

7. 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>.
The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
8. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
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.

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

9. Note: For future redevelopment the Owner shall be aware of the 42' Building Setback which is subject to the Highway 33 (now Trans 233) administrative code requirements of no private improvements within the setback area.

Forestry Section (Contact Brandon Sly, 220-0637)

10. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
11. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
12. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be

required. Add as a note on the site, grading, utility, demolition, and street tree plan set.

13. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
14. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
15. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
16. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
17. The Developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist prior to the Plan Commission meeting for City Forestry's review of project. This report shall identify all street trees on proposed project site, species type, canopy spread, tree condition, proposed tree removals, the impacts of proposed construction, and any requested pruning.
18. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.
19. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

Water Utility (Contact Jeff Belshaw, 261-9835)

20. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

Metro Transit (Contact Tim Sobota, 261-4289)

21. In coordination with public works improvements, the applicant may install and maintain an accessible concrete boarding pad surface at the planned bus stop on the south side of Odana Road, east of the Potomac Lane intersection.

22. The applicant may install and maintain a concrete amenity pad surface - as part of the private landscape plan for the proposed redevelopment site - across the sidewalk from the planned bus stop zone that is on the south side of Odana Road, east of the Potomac Lane intersection. The applicant may then install and maintain a new passenger seating amenity in this area, as part of the private landscape plan, to serve the users of the planned redevelopment site.

23. The applicant shall include the location of any of these transit amenities on the final documents filed with their redevelopment permit application, so that Metro Transit may review the design.

24. Effective June 11th of 2023, Metro Transit will operate daily all-day transit service along Odana Road adjacent this property - with trips at least every 60 minutes (every 30 minutes or less on weekdays).

Items not directly related to the demolition permit are reference items for future permitted use site plan review

The Planning Division, Traffic Engineering Division, and Fire Department have reviewed this request and have recommended no conditions of approval.