



## Report to the Plan Commission

March 8, 2010

**Legistar I.D. #17954**  
**511 High Crossing Boulevard**  
**Alteration to Approved Demolition Permit**

Report Prepared By:  
Kevin Firchow, AICP  
Planning Division

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**Requested Action:** Consideration of a new proposed alternative use for a previously approved demolition permit at 5110 High Crossing Boulevard.

**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** the alternative use for a previously approved demolition permit.

### **Background Information**

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**Applicant / Owner:** Tim Nietzel; 5301 Voges Road; Madison, WI 53718

**Contact:** Jerry Bourquin; Dimension IV Madison, LLC; 6515 Grand Teton Plaza Suite 120, Madison, WI 53719

**Proposal:** The applicant proposes a new alternative use for a previously approved demolition permit. The new use would be a two-story commercial building with Rasmussen College identified as the tenant.

**Parcel Location:** The subject property is an approximately 3.9 acre parcel on the north side of High Crossing Boulevard, immediately adjacent to the Interstate 39/90/94 right-of-way; Aldermanic District 17; Sun Prairie School District.

**Existing Conditions:** The subject property includes a vacant motorsports store and two vacant accessory buildings.

**Surrounding Land Use and Zoning:** The property is adjacent to various highway commercial uses, zoned C3 (Highway Commercial District). Retail and dining uses are immediately across the street and zoned C2 (General Commercial District).

**Adopted Land Use Plan:** The Comprehensive Plan recommends “general commercial” uses for this site. The Nelson Neighborhood Development Plan provides a similar recommendation for “commercial/retail services” for this property.

**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 C3 (Highway Commercial District).

## **Analysis, Evaluation, and Conclusion**

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In August 2008, the Plan Commission approved the demolition of a metal-seam pole barn building on the subject site. This building and two accessory structures were previously used as a motor sports dealership. The approved alternative use was a tilt-up concrete fitness center. The applicant now requests approval of a new future use, a two-story building to house Rasmussen College. The previous staff report and approval letter are attached.

In preparation to submit plans for final "sign-off," the applicant contacted planning and zoning staff regarding the process to proceed with a new proposed future use. The Zoning Ordinance does not specify a process for approving alterations to demolition permits. The ordinance does require that the Plan Commission make a finding that both the requested demolition and the proposed use are compatible with the intent and purpose of the applicable zoning district and the demolition section. As such, staff recommended the applicant first obtains Plan Commission approval of the new use prior to proceeding with "sign-off" of the revised plans.

The proposed site plan is similar to that approved in 2008. Both buildings are set back from High Crossing Boulevard, roughly in the same area the current structures are located. In both plans, parking generally surrounds the principal buildings. A detention pond is located in front of the Rasmussen College building, located roughly 120 feet from High Crossing Boulevard.

There are some proposed site modifications that staff believe should be revised. Staff recommend the dumpster enclosure, proposed along the south (High Crossing Boulevard) side of the building be relocated to a less conspicuous location. Staff also recommend that further detail be provided on bike parking for approval. From the proposed site plan, bike parking appears limited to an area of roughly the size of two parking stalls. Finally, staff note that a landscape plan is not included in this submittal, but will be required as part of sign-off. In addition to the required review from City Zoning, staff recommend the landscape plan is also approved by Planning Division staff.

The proposed building has a footprint of 19,172 square feet, smaller than of than that of the previously approved health club. The proposed two-story building would have a height of 28 feet and a total area of 30,344 square feet. Future additions include a third floor addition atop the first phase and a new addition along the south (High Crossing Boulevard) side of the building.

The site plan also includes a future (Phase 2) building on the eastern portion of the property. Staff note that this building is not part of this approval. This is similar to the previously approved plans that also included a future development phase. Previously, the Phase 2 building was identified as a restaurant. The current submittal indicates this would be a 6,400 square foot bank with a drive-up service window. This building is sited closer to High Crossing Boulevard than the Phase 1 building, and would likely improve the street presence of the overall development. Staff encourage the applicant to consider alternate designs that would not place a drive aisle between the building and High Crossing Boulevard. As currently proposed, that development would be subject to conditional use approval by the Plan Commission. However, as the future proposal may change, the Planning Division will again recommend a condition stating that if the future building is not subject to future conditional use review, building elevations shall be reviewed and approved by staff prior to construction of this building.

Staff believe the proposed building is an aesthetic improvement over the tilt-up concrete health club building approved in 2008 and certainly an improvement over the existing condition. The Zoning Administrator indicates the use is permitted under the property's C3 (Highway Commercial District) zoning. Further, the use is consistent with both the Comprehensive and Neighborhood Development Plans. Staff believes that the proposal meets the demolition standards.

Once approved by the Plan Commission, the applicant will be able to submit site plans for final agency sign-off. This will provide agencies the opportunity to review the plans for ordinance consistency, previously recommended conditions, and any modifications requested by the Plan Commission.

## **Recommendation and Proposed Conditions of Approval**

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Major/Non-Standard Conditions are Shaded

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

The Planning Division recommends that the Plan Commission finds that the project meets the applicable demolition standards and **approve** the new proposed alternative use for a previously approved demolition permit at 5110 High Crossing Boulevard.

1. That the recommended agency conditions in the August 20, 2008 approval letter shall still apply. As a clarification, if there are instances in which the revised plans are subject to different standards or ordinance requirements than those referenced in the 2008 letter, the current (or appropriate) requirements shall replace those specified in that approval letter.

#### **That the following comments should replace the Planning Division comments from the August 20, 2008 letter:**

2. That the applicant submits a landscape plan for Planning Division approval.
3. That the applicant clearly labels development phasing on the site plans and identifies parking areas or other site improvements that would not be constructed as part of the Rasmussen College (Phase 1) project.
4. That Planning Division staff review and approve any building elevations for the future (Phase 2) building if that building is not subject to future conditional use review by the Plan Commission.
5. That the site plan be amended to relocate the dumpster enclosure to a less conspicuous location on the property.
6. That the applicant provides further details on the bicycle parking. As a clarification, bicycle parking shall be approved by City Zoning and Traffic Engineering.