



PREPARED FOR THE PLAN COMMISSION

Project Address: 6101 Mineral Point Road (Aldermanic District 19 – Ald. Furman)

Application Type: Zoning Map Amendment, Demolition Permit, and Conditional Use

Legistar File ID # [62638](#) & [62314](#)

Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Contact: Gary Brown; UW-Madison Facilities Planning & Management; 30 N. Mills Street; Madison, WI 53715

Property Owner: Board of Regents of the University of Wisconsin System; 1220 Linden Drive; Madison, WI 53706

Requested Actions: This item includes the following requests for the 6101 Mineral Point Road site: 1) Approval of a demolition permit to demolish the former educational facility; 2) Approval of a request to rezone the site from the MXC (Mixed-Use Center) District to the CC-T (Commercial Corridor – Transitional) District; and 3) Approval of a conditional use in the [proposed] CC-T (Commercial Corridor – Transitional) District for a private parking lot, to allow an off-site parking facility for the University of Wisconsin-Madison.

Proposal Summary: UW-Madison is requesting approval to raze the former UW-Madison Wisconsin Veterinary Diagnostic Laboratory (WVDL) building and establish a private parking facility on the site for university maintenance vehicles and seasonal boat storage.

Applicable Regulations & Standards: This request is subject to the approval standards for Zoning Map Amendments (MGO §28.182), Demolition Permits (MGO §28.185), and Conditional Uses (MGO §28.183).

Review Required By: Plan Commission and Common Council

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Substitute Zoning Map Amendment ID 28.022–00478, rezoning the 6101 Mineral Point Road site from MXC to CC-T to the Common Council with a recommendation of **approval**. The Planning Division also recommends that the Plan Commission find the standards met and **approve** the requested demolition permit and conditional use. These recommendations are subject to the input at the public hearing and the comments and conditions recommended by reviewing agencies.

Background Information

Parcel Location: The roughly 128,000-square-foot (2.94-acre) subject parcel is located on the south side of Mineral Point Road, just east of the intersection with Island Drive. It is located within Aldermanic District 19 (Ald. Furman) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site contains a two-story, roughly 35,000-square-foot, commercial building which is currently vacant. According to submitted materials, it was constructed in 1970. Beyond that, the City has limited information about the structure as neither the City Assessor’s office, the City’s Preservation Planner, or the Wisconsin Historical Society has a record for the subject site. The building sits in the middle of the site while parking lots lie along the western and southern property lines. The parking lots are accessed from Mineral Point Road via a drive aisle which runs along the eastern property line. The site is zoned MXC (Mixed-Use Center) District.

Surrounding Land Uses and Zoning:

North: Across Mineral Point Road is the CUNA Mutual office complex, zoned SE (Suburban Employment) District, and the Homestead Shoppes shopping center, zoned CC-T (Commercial Corridor – Transitional) District;

South & East: Vacant land, part of University Research Park, zoned MXC (Mixed-Use Center) District; and

West: The Oakwood Village – University Village campus, a senior facility, zoned PD (Planned Development) District.

Adopted Land Use Plans: The 2018 [Comprehensive Plan](#) recommends the subject site for Community Mixed-Use (CMU) uses. While the subject site falls within the planning area of the [Southwest Neighborhood Plan](#) (2008), the Plan does not provide any specific recommendations for the subject site.

Zoning Summary: The site is proposed to be rezoned into the CC-T (Commercial Corridor – Transitional) Zoning District:

Requirements	Required	Proposed
Front Yard Setback	None	Adequate
Side Yard Setback: Other cases	None unless needed for access	Adequate
Rear Yard Setback	The lesser of 20% of lot depth or 20'	Adequate
Maximum Lot Coverage	85%	Less than 75%
Maximum Building Height	5 stories/ 68'	N/A

Site Design	Required	Proposed
Number Parking Stalls	Not required	Storage lot
Accessible Stalls	Not required	None
Loading	Not required	None
Number Bike Parking Stalls	Not required	None
Landscaping and Screening	Not required	Yes <i>(See Comment #10)</i>
Lighting	Not required	None <i>(See Comment #11)</i>

Other Critical Zoning Items	
Yes:	Utility Easements
No:	Urban Design, Floodplain, Historic District, Wetlands, Adjacent to Park, Wellhead Protection

Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located in a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services, including seven-day Metro Transit service along Mineral Point Road.

Project Description

UW-Madison is requesting approval of a demolition permit to raze the existing building, located at 6101 Mineral Point Road. The applicant is also requesting conditional use approval to establish a private parking facility on the site for university maintenance vehicles and seasonal boat storage (for the University’s Hoofers program). Finally, because private parking facilities are not permitted in the MXC (Mixed-Use Center) District, the applicant is requesting approval of a Zoning Map Amendment to rezone the site into the CC-T (Commercial Corridor – Transitional) District.

The building proposed for demolition is a two-story, roughly 35,000-square-foot, institutional building which formerly served as the Wisconsin Veterinary Diagnostic Laboratory (WVDL). According to submitted materials, it was constructed in 1970 and vacated when the new WVDL facility was constructed on campus. The City has limited information about the structure as neither the City Assessor's office, the City's Preservation Planner, or the Wisconsin Historical Society has a record for the subject site.

Regarding the building's condition, according to submitted materials it is stated to be *"in a fully deteriorated condition."* Furthermore, the materials state that it *"has large holes in the structure, failing roof, and rotted boards. It is not safe to continue to use the building."* Exterior and interior [photos](#), submitted by the applicant, appear to show a structure in disrepair, especially the interior. In communications with staff, the applicant noted that there are significant mold and pathogen issues inside – the former due to the leaks in the roof, the later due to the fact that it was historically used as a lab to test animal disease (e.g. mad cow, chronic wasting disease, etc.). As a result, hazmat suits and masks are required for all those who enter. Regarding salvage or relocation of the structure, the applicant notes that due to the condition of the building, there is no reuse potential or known materials of merit to salvage.

In addition to the deteriorated condition of the facility, the applicant notes that the other reason for their requested demolition at this time is due to a requirement of the Board of Regents and UW System to remove existing, underutilized buildings in order to add new building space on campus. As the University of currently in design of a sizable new School of Veterinary Medicine addition on the UW-Madison Campus, in order to compensate for the new square-footage, UW-Madison is the requiring the demolition of the subject building in addition to the nearby Charmany Farms residence and two accessory storage buildings at 5707 Mineral Point Road.

In terms of the actual demolition, the applicant indicates that the plan is to demolish the residence and remove the footings and foundation. The resulting hole will be filled with topsoil and grass planted on top. They note that aside from an Ash tree, which is located near Mineral Point Road and is in poor health, and a Honeylocust tree, which is located very close to the building's eastern façade, the site's existing mature vegetation will be protected during and after the demolition. Additionally, the enclosed trash area along the southern property line will also be removed.

In order to help screen the parking lots from Mineral Point Road, the applicant will be adding a row of Evergreens across nearly the entire lot (save for the driveway), roughly 60 feet back from the public sidewalk. As for the future use, while the plan is to continue to use the parking lot to store university maintenance vehicles and seasonal boat storage for the foreseeable future, the applicant notes that any future development of the site would follow the master plan of the University Research Park.

Analysis and Conclusion

This proposal is subject to the approval standards for Zoning Map Amendments (MGO §28.182), Demolition Permits (MGO §28.185), and Conditional Uses (MGO §28.183).

Conformance with Adopted Plans

The 2018 [Comprehensive Plan](#) recommends Community Mixed-Use (CMU) uses for the subject site. CMU is described as including existing and planned areas supporting an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole. Employment, retail, civic, institutional, and service uses serving both adjacent neighborhoods and wider community markets are recommended for CMU areas. Residential uses will generally be similar to the Medium Residential category (i.e. 2-5 stories and 20-90 dwelling units per acre), though they may occur at higher intensities.

Zoning Map Amendment Standards

The Planning Division believes that the Zoning Map Amendment Standards are met. These standards are relatively broad and state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law.

Chapter 66.1001(3) of Wisconsin Statutes also requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

Staff believe that the CC-T District is a district that allows a broad range of development types consistent with the Comprehensive Plan's CMU designation. For example, the CC-T District allows several mixed-use and residential building forms and uses, up to five stories by right (more with conditional use approval). Staff notes that the site's existing MXC zoning includes a relatively unique requirement that a site masterplan be approved prior to the issuance of permits. It was intended to be used for larger, master-planned properties and was assigned here and on the adjacent 35-acre property during the 2013 Zoning Code rewrite. At that time, the owners of the adjacent property were pursuing mixed-use, master-planned development concepts. Staff believes that CC-T District would allow for CMU-type development on the smaller subject site, without the more process-intensive steps required in the MXC District. Finally, staff notes that other CC-T-zoned properties are located across the street. In consideration of these factors, staff believes a finding of consistency can be made as staff believes the rezoning furthers and does not contradict the objectives, goals, and policies contained in the Comprehensive Plan.

Demolition and Removal Standards

As noted in MGO Section 28.185(7), the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section and the intent and purpose of the Suburban Employment (SE) zoning district. The Statement of Purpose for the CC-T District says:

The CC-T District is established to recognize the many commercial corridors within the City that remain largely auto-oriented, and to encourage their transformation into mixed-use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity. The district is also intended to:

- (a) Improve the quality of landscaping, site design and urban design along these corridors.*
- (b) Maintain the viability of existing residential uses located along predominantly commercial corridors.*
- (c) Encourage appropriate transitions between higher-intensity uses along commercial corridors and adjacent lower-density residential districts.*
- (d) Facilitate preservation development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.*
- (e) Structured parking is encouraged.*

The Plan Commission shall consider and give decisive weight to any relevant facts, including but not limited to impacts on normal and orderly development, efforts to relocate the existing building(s), and the limits that the location of the building(s) would place on efforts to relocate it/them. The Planning Division believes the proposed demolition and continued use of the parking lot on site to be compatible with both the intent and purpose of the CC-T District's Statement of Purpose as well as the Comprehensive Plan. Staff do not believe that continued use of the parking lot on the site will preclude the subject site or the surroundings from eventually developing in a manner more consistent with the Comprehensive Plan.

Finally, per Section 28.185(7)(a)4., the Plan Commission shall also consider the report of the City's preservation planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission when determining whether the demolition standards are met.

The Landmarks Commission reviewed the demolition of the subject structure at its September 14, 2020 meeting and found that it has *"historic value related to the Madison's agricultural history and scientific history but the building itself is not historically, architecturally or culturally significant."* (The meeting report for proposed demolitions from the Landmarks Commission's September 14, 2020 meeting can be found [here](#)). Staff note that the [Demolition Staff Report](#) prepared for the meeting by City Preservation Planner Heather Bailey, noted that, regarding the proposed demolition at 6101 Mineral Point Road, *"[It is a] commercial building, date of construction unknown. [...] A [City Historic] preservation file for this property does not exist and there is no Wisconsin Historical Society site file."*

Conditional Use Standards

This application requires consideration of one conditional use, a private parking facility. In regards to the Conditional Use Approval Standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

Staff believe the Conditional Use standards can be found met. As mentioned above, Staff do not believe that continued use of the parking lot on the site will preclude the subject site or the surroundings from eventually developing in a manner more consistent with the Comprehensive Plan. Furthermore, Staff believe that the screening provided by the addition of the Evergreens along the site's frontage will help mitigate negative visual impacts.

Conclusion

On balance, the Planning Division believes that the Plan Commission can find that the standards for Zoning Map Amendments, Demolition Permits, and Conditional Uses met to allow the demolition of the subject building and the establishment of a private parking facility on site. The applicant has provided their justifications for the request including the deteriorated condition of the building and the severe mold and pathogen issues. Staff also note that efforts were made with the University to arrange a more detailed interior inspection by City Building Inspection. However, due to heightened concern related to the mold and pathogen issues, and need to wear hazmat suits and masks in order to enter, the inspection was not able to be arranged by the time this report was drafted. Concerning the proposed land use, Staff do not believe that continued use of the parking lot on the site will preclude the subject site or the surroundings from eventually developing in a manner more consistent with the Comprehensive Plan.

At the time of report writing, staff have not received any public comment on this proposal.

Recommendation

Planning Division Recommendation (Contact Chris Wells, 261-9135)

The Planning Division recommends that the Plan Commission forward Substitute Zoning Map Amendment ID 28.022–00478, rezoning the 6101 Mineral Point Road site from MXC to CC-T to the Common Council with a recommendation of **approval**. The Planning Division also recommends that the Plan Commission find the standards met and **approve** the requested demolition permit and conditional use. These recommendations are subject to the input at the public hearing and the comments and conditions recommended by reviewing agencies.

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

City Engineering Division (Contact Timothy Troester, 267-1995)

1. 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))
2. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
3. 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).
4. The applicant shall take out all necessary permits through Dane County and / or WDNR for land disturbing activities.

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

5. There is a public sanitary sewer within the northern and easterly portions of the Lot that was constructed circa 1969. Applicant shall grant a 15' wide public sanitary sewer easement by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project and associated information required.

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

6. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale 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.

7. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign 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.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

8. 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 at streets@cityofmadison.com. 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. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
9. Submit a site plan showing the proposed site conditions following the demolition including the paved parking facility.
10. Provide details for the proposed evergreen screening vegetation including species and numbers of trees.
11. Verify whether new parking lot or site lighting will be installed. New parking lot lighting must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards. If exterior site lighting is provided, submit an exterior lighting plan and fixture cut sheets with the final plan submittal.
12. 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.

Fire Department (Contact Bill Sullivan, 261-9658)

13. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Paul Ripp at pripp@cityofmadison.com or (608)712-6277.

Water Utility (Contact Jeff Belshaw, 261-9835)

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

City Forestry Section (Wayne Buckley, 266-4892)

15. 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 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.

16. 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 (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 plan set.
17. 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 the plan set.
18. Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
19. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction 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 the plan set.
20. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. 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.

Metro Transit (Contact Tim Sobota, 261-4289)

The agency reviewed this request and has recommended no conditions of approval.

Parks Division (Contact Sarah Lerner, 261-4281)

The agency reviewed this request and has recommended no conditions of approval.