



PREPARED FOR THE PLAN COMMISSION

Project Address: 5098 Voges Road (District 16 – Alder Tierney)
Application Type: Demolition Permit
Legistar File ID # [62094](#)
Prepared By: Sydney Prusak, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant

& Property Owner: Marvin Brick; 313 W Beltline Highway #181; Madison, WI 53713

Contact: Rodger Endres; Town & Country Builders; 101 E Main Street; Waunakee, WI 53597

Requested Action: The applicant requests approval of a demolition permit to demolish a single-family residence to construct a contractors shop in the Industrial Limited (IL) Zoning District at 5098 Voges Road.

Proposal Summary: The applicant proposes to demolish a one-story, single-family residence and construct a 2,000 square-foot single-story contractors shop.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal Permits [M.G.O. §28.185(7)].

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for demolition and removal are met and **approve** the request to raze a single-family residence and construct a contractor’s shop in the Industrial Limited (IL) Zoning District at 5098 Voges Road. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 13,125-square-foot (approximately 0.30-acre) subject property is located on the north side of Voges Road near the Tormey Lane intersection. The subject property does not have Voges Road frontage and is accessed off a shared drive with the property located at 5034 Voges Road. The site is within Aldermanic District 16 (Ald. Tierney) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes a 990 square-foot, one-story single-family residence, which has significant damage from a fallen tree. The residence was constructed in 1954 and contains two bedrooms and one bathroom. The residence is not currently occupied.

Surrounding Land Use and Zoning:

North: A warehouse building and surface parking lot, with the Dane County Humane Society beyond, zoned Industrial Limited (IL);

East: The Dane County Humane Society, with commercial and industrial uses beyond, zoned IL;

South: Single-family residences, zoned IL; and

West: A multi-tenant commercial building and surface parking lot, zoned IL.

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) and the [Marsh Road Neighborhood Development Plan \(1999\)](#) both recommend Industrial uses for the subject site.

Zoning Summary: The property is zoned Industrial Limited (IL).

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	13,125 sq. ft. (Existing)
Lot Width	75 ft.	75 ft.
Front Yard Setback	None	48 ft.
Side Yard Setback	None	11 ft., 23 ft.
Rear Yard Setback	30 ft.	77 ft.
Maximum Lot Coverage	75%	47%
Maximum Building Height	None	24 ft.

Site Design	Required	Proposed
Number Parking Stalls	No minimum	2
Accessible Stalls	1	0 (13)
Loading	No	No
Number Bike Parking Stalls	2	0 (14)
Landscaping	Yes	No (15)
Lighting	No	No
Building Forms	Yes	Industrial

Other Critical Zoning Items	Utility Easements
------------------------------------	-------------------

Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

Public Utilities and Services: This property is served by urban services, with limited Metro Transit service. Route 31 serves the general area, with the nearest stop located approximately 0.3 miles from the subject site.

Project Description, Analysis, and Conclusion

The applicant requests Plan Commission approval for a demolition permit. The structure proposed for demolition is a 990 square-foot, one-story single-family residence, which has significant damage from a fallen tree. The residence was constructed in 1954 and contains two bedrooms and one bathroom. The residence is not currently occupied. Photos of the existing structure, noting the structural damage, are available in the Legislative File, linked [here](#).

Following demolition, the applicant proposes to construct a 2,000 square-foot, single-story contractor’s shop, which is a permitted use in the Industrial Limited (IL) Zoning District. As proposed, the applicant will also construct a new driveway and parking area, with two official parking stalls noted on the site plan.

This request is subject to the standards for demolition and removal permits. In order to approve a demolition request, MGO §28.185(7) requires that the Plan Commission find that the requested demolition and proposed

use are compatible with the purpose of the demolition section and the intent and purpose of the IL Zoning District. The statement of purpose for IL districts says, in part:

This district provides for a mix of light manufacturing uses, offices, warehousing, flex-space, limited storage and warehousing, and limited retail and service uses that primarily serve the industrial uses, designed with adequate landscaping and screening, to ensure compatibility with adjoining uses. Industrial districts typically require relatively direct access to the regional highway system, and may require rail or air transportation service.

Furthermore, the demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. Additionally, the proposal should be compatible with adopted plans. Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission.

The [Comprehensive Plan \(2018\)](#) and the [Marsh Road Neighborhood Development Plan \(1999\)](#) both recommend Industrial uses for the subject site. At their September 17, 2020 meeting, the Landmarks Commission recommended to the Plan Commission that the building proposed for demolition has no known historic value.

The Planning Division believes that this proposal conforms to the Industrial land use recommendations for the subject site and the statement of purpose for the IL Zoning District. Staff believes that the proposed contractor's shop is more in keeping with the purpose of the District and the Plan recommendations than the existing single-family residence.

At the time of report writing, staff did not receive any comments from the public on this request.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the standards for demolition and removal are met and **approve** the request to demolish a single-family residence to construct a contractor's shop at 5098 Voges 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

Engineering Division (Contact Brenda Stanley, (608) 261-9127)

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. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.

3. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
4. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
5. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
6. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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.

7. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))

Rate Control: Reduce peak discharge during a 10 year event by 15% compared to existing conditions. TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Volume Control: Provide onsite volumetric control reducing the the post construction volumetric discharge by 5% compared to the predevelopment discharge volume as calculated using the 10-year storm event.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

8. 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.
9. 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).

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

10. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Engineering Division – Mapping Section (Contact Jeffery Quamme, (608) 266-4097)

11. Add text to the 60' common access area shown on the site plan. Also refer to the new Access Agreement per Document No. 5571400 benefitting this parcel over that same 60 feet.
12. The address of 5098 Voges Rd will be retired with the demolition of the existing house. The proposed contractor shop will have an address of 5050 Voges Rd. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4560)

13. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.141(4)(e) which includes all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of 1 accessible stall striped per State requirements. The stall shall be a van accessible stall 8 feet wide with an 8 foot wide striped access area adjacent.
 - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 48" between the bottom of the sign and the ground.

- c. Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
14. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 2 short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
15. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 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.
16. Sec. 28.151 requires that outdoor storage not be located between the building and the street and be completely screened from any adjacent street, sidewalk, public walkway, or public park. Provide a detail of the screening wall, solid, commercial-grade wood fence, year-round hedge, or equivalent material, with a minimum height of six (6) feet and not greater than eight (8) feet.
17. 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 (608-266-4682).
18. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
19. Section 28.185(10) 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.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

20. 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.
21. Provide fire access plan indicated fire lanes & hydrant locations in accordance with MGO 34 and the IFC.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

- | |
|--|
| <ol style="list-style-type: none">22. Update site plan to indicate how the proposed building will be served with water service.23. Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development. |
|--|
24. 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.