

PLANNING DIVISION STAFF REPORT

March 25, 2024



PREPARED FOR THE PLAN COMMISSION

Project Address: 4701 Ellestad Drive (16th Alder District - Alder Currie)

Application Type: Demolition Permit

Legistar File ID # [81920](#)

Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: Jeffrey Miller; 4621, LLC; 12770 W Silver Spring Drive; Butler, WI 53007

Contact: Adam Ryan; Quam Engineering, LLC; 4604 Siggelkow Road, Suite A; McFarland, WI 53558

Requested Action: Consideration of a demolition permit to demolish a single-family residence at 4701 Ellestad Drive.

Proposal Summary: The applicant proposes to demolish a one-and-a-half-story, 825-square-foot, one-bedroom single-family residence and one-stall detached garage. Afterward, the applicant plans to expand the existing business, Kelbe Brothers Equipment, located immediately to the west at 4621 Dutch Mill Road, onto the subject lot. Staff note that the business expansion 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 standards are met and **approve** the request to demolish a single-family residence at 4701 Ellestad Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 16,800-square-foot property is located to the southeast of the intersection of Dutch Mill Road and Ellestad Drive. It is located within Alder District 16 (Alder Currie), Urban Design District 1, and the Madison Metropolitan School District.

Existing Conditions and Land Use: The property is zoned Industrial – Limited (IL) District and is developed with a one-and-a-half-story, 825-square-foot, one-bedroom single-family residence and one-stall detached garage. The City's Assessor's Office notes the residence was constructed in 1945.

Surrounding Land Use and Zoning:

North: Across Ellestad Drive is a one-story commercial building, zoned Industrial – Limited (IL) district;

South: A church, Cavalry Chapel Madison, zoned IL;

East: Single-family residences, zoned IL; and

West: The existing Kelbe Brothers Equipment business, a construction equipment supplier, zoned IL.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Employment (E) uses for the subject site. The [Stoughton Road Revitalization Project Plan](#) (2008) identifies the subject parcel within the 'Gateway Development Area' – an area roughly bound by Stoughton Road to the west, Femrite Drive to the north, Dairy Drive to the east and the Beltline to the south. For this area, the Plan recommends redeveloping it “with employment and business services and associated retail and mixed-use retail/office focus.”

Zoning Summary: The property is in the Industrial – Limited (IL) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	16,800 sq. ft.
Lot Width	75'	112.55 sq. ft.
Front Yard Setback	0' or 5'	TBD
Side Yard Setback	None if adjacent to property zoned IL or IG 10' if adjacent to property zoned anything other than IL or IG	TBD
Rear Yard Setback	30'	TBD
Maximum Lot Coverage	75%	TBD
Maximum Building Height	None	TBD
Lot Area (sq. ft.)	20,000 sq. ft.	16,800 sq. ft.
Lot Width	75'	112.55 sq. ft.

Other Critical Zoning Items	Urban design (UDD #1); Utility Easements
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Prepared by Jenny Kirchgatter, 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. Metro Transit operates limited, daily, all-day transit service along Dutch Mill Road adjacent this property – with trips every 75 minutes.

Project Description, Project Analysis, and Conclusion

The owner/applicant is requesting approval to demolish a one-and-a-half-story, 825-square-foot, one-bedroom single-family residence and one-stall detached garage. The City's Assessor's Office notes the residence was constructed in 1945. The applicant has submitted [demolition photos](#) and, regarding the condition of the structure, noted, *“Parts of the building have settled and numerous repairs have been necessary to allow doors to open properly. There are multiple cracks in drywall and ceilings. A portion of the roof overhang collapsed 8 years ago and was reinforced to repair. The kitchen floor is not level and the entry has settled and is separating from the structure. The small basement is accessed through a trap door in the laundry room and has dampness issues so it is not used and a dehumidifier is required. The roof is at least 20 years old and nearing the need for replacement. The electrical system is old and fragile and requires frequent and costly repairs. Exterior windows are old, deteriorating, and seal and operate poorly.”* Planning Division Staff has not inspected the building.

Following demolition, the applicant intends to expand the existing business, Kelbe Brothers Equipment, located immediately to the west at 4621 Dutch Mill Road, onto the subject lot. Staff note that the business expansion is a permitted use and not before the Plan Commission.

Compliance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Employment (E) uses for the subject site. The [Stoughton Road Revitalization Project Plan](#) (2008) identifies the subject parcel within the 'Gateway Development Area' – an area roughly bound by Stoughton Road to the west, Femrite Drive to the north, Dairy Drive to the east and the Beltline to the south. For this area, the Plan recommends redeveloping it “with employment and business services and associated retail and mixed-use retail/office focus.”

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 standards 1 and 4.

Standard 1 states that *“the applicant has included information related to any efforts to relocate the building, including but not limited to assessing the costs of relocation, the impact of relocation on city terrace trees, and the structural soundness of the building.”* The applicant has noted in submitted materials that relocating the house was considered but was ultimately determined to be unfeasible *“due to the age of the house, fragile nature of the structure, costs to repair or reconstruct, and lack of an available and nearby location.”*

Staff also makes note of 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 January 8, 2024 meeting, the Landmarks Commission found that the existing building at 4701 Ellestad Drive has no known historic value.

Planning Division staff believe all other standards of approval can be found 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 Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a single-family residence at 4701 Ellestad Drive. 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
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Engineering Division (Main Office) (Contact Timothy Troester, (608) 267-1995)

1. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
2. 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))

City Engineering – Mapping (Contact Julius Smith, (608) 264-9276)

3. Notes added for future plans attached unrelated to the current demo only submittal but part of the submittal packet:

The proposed new building addition crosses an underlying platted lot line. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building permit.

There is an existing Public Sanitary Sewer Easement per Document No. 1070037 along the East parcel limits the future proposed concrete overlays that easement and will require a Consent to Occupy agreement. A document shall be drafted and recorded by City of Madison Office of Real Estate Services defining responsibilities and requirements in conjunction with the proposed improvements.

Alongside the future proposed concrete is a proposed fence that crosses the fence and runs directly over the easement and along the centerline of the existing sanitary sewer facility. This fence will not be allowed within the easement limits.

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

4. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

Parking Review (Contact Trent W Schultz, (608) 246-5806)

5. The agency reviewed this request and has recommended no conditions of approval. A Transportation Demand Management (TDM) Plan may be required as part of future development.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

6. 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.
7. Following approval of the demolition, a permitted use site plan review will be required for the proposed building addition, equipment display area, bio-retention basin and landscaping.

Fire Department (Contact Matt Hamilton, (608) 266-4457)

8. Proposed fire access plans does not appear to meet MGO 34 requirements. Provide fire apparatus access as required by IFC 503 2021 edition, MGO 34.503, as follows:
 - A dead-end fire lane that is longer than 150-feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45 degree wye, 90 degree tee) at the end of a fire lane that is more than 150-feet in length.

- Provide a fire lane with the minimum clear unobstructed width of 20-feet.
- Provide a completed MFD “Fire Apparatus Access and Fire Hydrant Worksheet” with the site plan submittal; the form is available at www.madisonfire.org.

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

9. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility’s Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Metro Transit (Contact Timothy Sobota, (608) 261-4289)

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| 10. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the south side of Dutch Mill Road, west of Ellestad Drive. |
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11. Metro Transit operates limited daily all-day transit service along Dutch Mill Road adjacent this property – with trips only every 75 minutes.
12. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 13 Weekday & 13 Weekend. Please contact Metro Transit if additional analysis would be of interest.

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

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

The Planning Division; Parks Division; Forestry