



PREPARED FOR THE PLAN COMMISSION

Project Address: 3709 Kinsman Boulevard

Application Type: Demolition Permit

Legistar File ID # [85828](#)

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: John Evans; City of Madison – Engineering Division; 210 Martin Luther King, Jr. Boulevard; Madison, WI 53703

Requested Action: Consideration of a demolition permit to demolish a commercial building at 3709 Kinsman Boulevard.

Proposal Summary: The applicant proposes to demolish the former McDonald’s restaurant. The future use has not been determined at this point in time. In the meantime, submitted plans note that the building will be removed and the hole backfilled and seeded. The public sidewalks along the north and west sides of the site will remain.

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 commercial building at 3709 Kinsman Boulevard. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 37,782-square-foot (0.87-acre) property is located to the southeast of the intersection of N. Stoughton Road (US Highway 51) and Kinsman Boulevard. It is located within Alder District 12 (Alder Latimer Burris) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The property is zoned Commercial Center (CC) District and is developed with a one-story, roughly 3,000 former McDonalds restaurant. The City’s Assessor’s Office notes the building was constructed in 1997.

Surrounding Land Use and Zoning:

North: Across Kinsman Boulevard is a FedEx Ship Center, zoned CC (Commercial Center);

South: The City of Madison/Dane County Men’s Permanent Homeless Shelter, zoned CC;

East: A commercial warehouse building, zoned CC; and

West: N. Stoughton Road (US Highway 51), beyond which is a commercial warehouse facility, zoned IL (Industrial-Limited) District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2023) and [Northeast Area Plan](#) (2024) both recommend General Commercial (GC) uses for the subject site.

Zoning Summary: The property is zoned Commercial Center (CC) District

Requirements	Required	Proposed
Front Yard Setback	0' or 5'	TBD
Max. Front Yard Setback	85'	TBD
Side Yard Setback: Street side yard	0' or 5'	TBD
Side Yard Setback	One-story: 5' Two-story or higher: 6'	TBD
Rear Yard Setback: For corner lots, where all abutting property is in a nonresidential zoning district	The required rear yard setback shall be the same as the required side yard setback	TBD
Maximum Lot Coverage	85%	TBD
Maximum Building Height	5 stories/78'	TBD
Other Critical Zoning Items		
Yes:	Utility Easements	
No:	Urban Design; Barrier Free (ILHR 69); Historic District; Floodplain, Wetlands, Wellhead Protection, Adjacent to Park, TOD Overlay	

Tables 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 daily all-day transit service along Kinsman Boulevard and Bartillon Drive adjacent this property - with trips at least every 75 minutes. Metro Transit operates additional daily all-day rapid transit service along East Washington Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).

Project Description, Project Analysis, and Conclusion

The applicant proposes to demolish a one-story, roughly 3,000 former McDonalds restaurant. The City's Assessor's Office notes the building was constructed in 1997. The applicant has submitted [demolition photos](#) which show a building in disrepair. In submitted materials, the applicant notes, *"The structure is wood framed, was build cost effectively and has little salvage or re-use value. In addition most finishes inside the facility are aged and worn out and have no salvage or reuse value."* Planning Division Staff has not inspected the building.

The future use has not been determined at this point in time. In the meantime, submitted plans note that the building will be removed and the hole backfilled and seeded. The public sidewalks along the north and west sides of the site will remain.

Compliance with Adopted Plans

The [Comprehensive Plan](#) (2023) and [Northeast Area Plan](#) (2024) both recommend General Commercial (GC) uses for the subject site.

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.”* In communication with Staff, the applicant notes that relocation was briefly considered but determined to not be economical feasible, nor did they have interest from a third party to relocate this dated commercial building.

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 March 18, 2024 meeting, the Landmarks Commission found that the existing building at 3709 Kinsman Boulevard 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, no public comments have been received 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 commercial building at 3709 Kinsman Boulevard. 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 Review Main Office (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. Obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))

City Engineering Review Mapping (Contact Jeffrey Quamme, (608) 266-4097)

3. FYI: Any future building will receive a new address. 3709 Kinsman Blvd is associated with the building that is being demolished.

4. The pavement connection noted to the 1904 Bartillon Dr parcel to the south cannot be a permanent connection. The approved site plans for 1904 Bartillon Dr did not contemplate a permanent connection and includes the installation of a gate to assure this condition. This non-permanent connection shall be shown and noted on these plans. In the future if there is a connection for access between the parcels, a reciprocal easement agreement would be required at the time of development of this site.
5. Provide a digital CADD file to scale that accurately represents final construction of the pavement to remain along the east side of this site. It shall be on the WISCRS Dane County Projection as set forth in the website link below. The single CADD file submittal shall be either AutoCAD (dwg) or Universal (dxf) format and shall contain the required data per the City of Madison CADD Site Plan Approval Submittal instructions available at: <https://www.cityofmadison.com/engineering/developers-contractors/developers/digital-file-submittals>

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. Approval of the demolition will require the removal of all structures including the principal building, parking lot, and paved areas. Disturbed areas shall be graded and seeded or sod planted to minimize erosion.
8. A site plan review will be required to connect the driveway to the property to the south at 1904 Bartillon Dr.

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

9. 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.

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

10. 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 Review (Contact Timothy Sobota, (608) 261-4289)

11. Metro Transit operates daily all-day transit service along Kinsman Boulevard and Bartillon Drive adjacent this property - with trips at least every 75 minutes. Metro Transit operates additional daily all-day rapid transit service along East Washington Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).

12. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 80 Weekday & 60 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Forestry Review (Contact Jeffrey Heinecke, (608) 266-4890)

13. 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 site plan.

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

The Planning Division; Fire Department; Traffic Engineering; and Parks Division