



PREPARED FOR THE PLAN COMMISSION

Project Address: 3226 Commercial Avenue (15th Aldermanic District – Ald. Ahrens)
Application Type: Demolition Permit
Legistar File ID # [44173](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant & Property Owner: Christopher Langkamp; Sooper Dooper, LLC.; 1709 S. Park Street, #W; Madison, WI 53713

Requested Action: The applicant requests approval of a demolition permit to demolish a single-family residence in order to construct a printing and publishing business at 3226 Commercial Avenue; 15th Ald. Dist.

Proposal Summary: Upon demolition of the existing single-family residence, the applicant proposes to construct a new building to house a printing and publishing business (considered limited production and processing in the Zoning Code).

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO Section 28.185(7)]. The Supplemental Regulations [MGO Section 28.151] contain further regulations for *Limited Production and Processing*.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the demolition standards met and **approve** the request to demolish a single-family home in order to construct a printing and publishing business at 3226 Commercial Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 9,720-square-foot (0.22-acre) subject property is located between Rethke Avenue and N. Fair Oaks Avenue, on the north side of Commercial Avenue. This parcel is located within Aldermanic District 15 (Ald. Ahrens) and is within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes a single-family home and abandoned tractor-trailer. Save for the grass area between the existing home and the road, the majority of the site is asphalt with a number of trees and bushes located along the rear property line.

Surrounding Land Use and Zoning:

North: A woodworking shop, zoned TE (Traditional Employment) beyond which, across Burke Avenue, is single-family residential, zoned TR-V1;

South: Across Commercial Avenue and State Hwy 30 are single-family and accessory buildings located within the Town of Blooming Grove, WI;

East: A vacant 39,700-square-foot lot, zoned TE; and

West: An adult video retailer and novelty store, zoned TE.

Adopted Land Use Plan: The [Comprehensive Plan \(2006\)](#) recommends Community Mixed-Use (CMU) uses for this area. The [Carpenter-Hawthorne-Ridgeway-Sycamore-Truax Neighborhood Plan \(2001\)](#) does not provide any recommendations regarding the subject site.

Zoning Summary: The property is zoned TE (Traditional Employment).

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	9,720 sq. ft.
Lot Width	50'	75.28'
Front Yard Setback	None	15.68'
Side Yard Setback	None unless needed for access	West: 3.0' (See Comment #21) East: 15.91'
Rear Yard Setback	Lesser of 20% lot depth or 20'	20.2'
Maximum Lot Coverage	85%	71.4%
Minimum Building Height	22' measured to building cornice	1 story (See Comment #25)
Maximum Building Height	5 stories/ 68'	1 story
Number Parking Stalls	Limited Production and Processing: Minimum (None) Maximum 1 per employee (6)	1
Accessible Stalls	Yes	1
Loading	None	None
Number Bike Parking Stalls	Limited Production and Processing: 1 per 5 employees (2 minimum)	1 (See Comment #26)
Landscaping and Screening	Yes	Yes (See Comments #27, #28, & #29)
Lighting	No	No (See Comment #31)
Building Forms	Yes	Yes, Industrial Building
Other Critical Zoning Items	Barrier Free (ILHR 69); Utility Easements	

Table 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. Nearest all day Metro bus service is accessed 0.3-miles away at the intersection of East Washington Avenue and Rethke Avenue.

Project Description, Analysis, and Conclusion

The applicant, Sooper Dooper, LLC., requests approval to demolish a single-family residence for the purpose of constructing a printing and publishing business (which would be considered *limited production and processing* in the Zoning Code). This proposal is subject to the approval standards for demolitions.

The home proposed for demolition is a one-story, 1,228-square foot residence. City assessor's records indicate the structure was constructed in 1938. Interior and exterior photos of the building are included in the submission and can be viewed online at:

https://www.cityofmadison.com/dpced/planning/documents/3226ca_site2.pdf. Staff notes that the existing structure has been vacant for the past 25+ years and according to the applicant, MG&E records show that utilities have been turned off to the residence since the 1990's and more recently the structure has been frequently used by squatters.

The applicant, who makes various packaging materials for media as well as posters and other forms of marketing products, has an existing facility at 1709 South Park Street and needs a larger space due to increased business demand. They are proposing a simple, 3,860-square-foot, gabled building with grey corrugated metal walls, a

white corrugated metal roof, vinyl windows, and metal doors to be located along the western edge of the site. The layout of the building generally consists of two spaces with office and reception space in the front space and the various printing machines in the larger, rear space. The applicant will also need to include a retail component in the front space in order to comply with the supplemental regulations. The applicant has stated that they currently have one at their existing facility and will update the plans before final signoff.

In terms of parking, one handicapped parking space and one bicycle stall will be provided along the eastern façade, near the front of the site. New landscaping in the form of ornamental grasses and perennials as well as arborvitae will be added along the street-facing façade and alongside the southern third of the western façade. (A small fence along this western façade will screen the air-conditioning unit from street view). An Autumn Blaze Maple will be added at the southeast corner of the property and frame the driveway. The applicant has noted that a number of existing trees at the rear of the site will be maintained.

The Planning Division believes the applicable standards can be met. Prior to approving this proposed demolition and future use, the Plan Commission must find that proposed demolition and future use are compatible with both the purpose of the Zoning Code's demolition section and the purpose expressed in the Zoning Code for the subject Traditional Employment (TE) District. In making their finding, the Plan Commission may give weight to any relevant facts including the proposal's effects on the normal and orderly development of surrounding properties. The demolition standards also state that the proposed use should be compatible with adopted plans.

The Comprehensive Plan recommends Community Mixed-Use (CMU) uses for the subject site, and specifies that commercial buildings, employment, retail and service uses serving wider community markets are compatible. While the Comprehensive Plan recommends for buildings above one story in the CMU District, staff believes the proposed one-story building is consistent with the recommendation due to its placement near the front lot line (i.e. approximately 15-feet away but less if you count the entry roof overhang) (note: this is less than half that of the neighboring buildings). Furthermore, the presence of the large windows and landscaping along the street facing façade improves the pedestrian-friendliness of the proposal.

Regarding the demolition standards, given the proposed site design and building architecture, not to mention the improvement over the undesirable current conditions, staff has no concerns about the impact on the normal and orderly development of the surrounding properties. Given the dilapidated condition of the structure and the extended period of vacancy, staff does not believe relocation of the structure is feasible and no objections to this demolition were raised by the Preservation Planner or by the Landmarks Commission. Furthermore, staff believes the proposal is compatible with the purpose expressed in the Zoning Code for the subject Traditional Employment (TE) District as it will provide one full-time and at least four part-time jobs on top of the 14-17 jobs created during the construction and it is consistent with the adopted plans (as noted above).

At the time of report writing, staff was not aware of any concerns regarding this proposal.

Recommendation

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

The Planning Division recommends that the Plan Commission find the demolition standards met and **approve** the request to demolish a single-family home in order to construct a printing and publishing business at 3226 Commercial Avenue. 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

Planning Division (Contact Chris Wells, (608) 261-9135)

1. The supplemental regulations state that a limited production and processing use shall be compatible with adjacent nonindustrial uses and shall be accompanied by a retail component. Submit details including a detailed floor plan for the retail component of the project.

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

2. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
3. All outstanding 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))
4. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
5. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street names
 - j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
 - k) Private on-site storm sewer utilities (including all connections to public storm)

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or troester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any

changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

6. The applicant shall 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). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2))
PDF submittals shall contain the following information:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street names
 - j) Stormwater Management Facilities
 - k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
7. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
 - a) SLAMM DAT files
 - b) RECARGA files
 - c) TR-55/HYDROCAD/Etc
 - d) Sediment loading calculations. 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. (POLICY and MGO 37.09(2))
8. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
9. 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. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at ttroester@cityofmadison.com, or Jeff Benedict at jbenedict@cityofmadison.com final document and fee should be submitted to City Engineering.
10. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)

11. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to Reduce TSS by 80% off of the proposed development when compared with the existing site.
12. Complete an erosion control plan and 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.
13. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
14. All damage to the pavement on Commercial Ave., adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

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

15. Provide a site demolition plan showing all pavements, utilities and improvements to be removed.
16. Provide a recorded easement/agreement with the adjacent property for the concrete pad and ingress/egress from the emergency entrance shown in the northwest corner of the site.
17. The address of 3226 Commercial Ave will be retired with the demolition of the house. The address of the proposed commercial building is 3228 Commercial Ave. 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.

Traffic Engineering (Contact Eric Halvorson, (608) 266-6527)

18. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.
19. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
20. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

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

21. Revise the plans so that the proposed building exit and 5' x 5' stoop and proposed new air conditioning unit located on the west side of the building do not encroach over the west side property line.
22. 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).

23. 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.
24. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
25. Show the height of the proposed building on the elevations. The minimum height is 22 feet high. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure.
26. A minimum number of two (2) bicycle spaces (the equivalent of one (1) two-sided bike rack) is required for nonresidential uses. Show the dimensions of the bicycle stalls including the access aisle on the site plan. 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.
27. Provide adequate development frontage landscaping per Section 28.142(5) Development Frontage Landscaping.
28. Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. One (1) overstory deciduous tree and five (5) shrubs shall be planted for each thirty (30) lineal feet of lot frontage. Two (2) ornamental trees or two (2) evergreen trees may be used in place of one (1) overstory deciduous tree. Note that landscaping must be installed on the private property.
29. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure if provided outside the building.
30. Show the footprint of the proposed air conditioning unit on the site plan and landscape plan. The HVAC unit may not encroach over the property line. Provide a detail of the proposed screening fence for the HVAC unit.
31. Lighting is not required. However, if it is provided, it 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.
32. 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.
33. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

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| <ol style="list-style-type: none">34. Provide a sidewalk (or other surface that is maintained from of snow, ice or other obstructions year round) from all required exits out to the public way.35. Provide proper exterior wall fire ratings based on distance from the property line as required by IBC Chapter 6 & 7. |
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Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

36. The Madison Water Utility shall be notified to remove the water meter prior to demolition.

A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least 48-hour 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/plumberscontractors>), 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. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

The applicant's utility contractor shall obtain an excavation permit prior to commencing the water main construction. This permit application is available on the City Engineering Division website (<http://www.cityofmadison.com/engineering/permits.cfm>).