



PLANNING DIVISION STAFF REPORT

August 28, 2017

PREPARED FOR THE PLAN COMMISSION

Project Address: 1809 West Beltline Highway (District 14 – Ald. Carter)
Application Type: Demolition Permit
Legistar File ID # [48148](#)
Prepared By: Sydney Prusak, Planner
Reviewed By: Kevin Firchow, Principal Planner

Summary

Applicant & Owner: Thomas Zimbrick; TMJ III, LLP; 1601 West Beltline Hwy, Madison, WI 53713

Contact: Thomas Knoop; Sullivan Design/BUILD; 1314 Emil Street, Madison, WI 53713

Requested Action: Approval of a demolition permit.

Proposal Summary: The applicant proposes to demolish one commercial building to construct a one-story, approximately 18,000 square foot, auto sales facility with a parts deck and asphalt parking area. This facility will be located in the center of the site along West Beltline Frontage Road. The balance of the site plan will contain an asphalt lot which will provide space for a total of 72 parking stalls - 19 of which are for vehicle inventory sales with the remainder being a mixture of employee, customer, and service stalls. A variety of deciduous shrubs, evergreens, and perennials are proposed throughout the site.

Applicable Regulations & Standards: Auto sales facilities are permitted uses in the CC (Commercial Center District). 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 one commercial structure at 1809 West Beltline Highway for the purpose of constructing a new automobile sales facility. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 1.5 acre subject property is located on south side of West Beltline Highway, near the intersection of West Beltline Frontage Road and Bryant Road. The east portion of the site, containing inventory parking, is located in the Town of Madison. The site is in Aldermanic District 14 (Ald. Carter) and is within the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes a one-story commercial building, namely a 6,406 square foot auto sales facility constructed in 1986. The majority of the site is currently asphalt pavement. The site has minimal slope, with the high point on the west side, dropping about four feet as it moves to the center of the site.

Surrounding Land Use and Zoning:

North: The Beltline Highway with multi-tenant retail and office space beyond, zoned GC (General Commercial);

South: Commercial space zoned GC (General Commercial);
East: Zimbrick Auto Dealership, zoned GC (General Commercial); and
West: Saint Joseph Church zoned GC (General Commercial).

Adopted Land Use Plan: The Comprehensive Plan recommends general commercial uses for the subject site.

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

Requirements	Required	Proposed
Front Yard Setback	85' maximum	84.4'
Side Yard Setback	One-story: 5'	Adequate
Rear Yard Setback:	The lesser of 20% of lot depth or 20'	Adequate
Maximum Lot Coverage	85%	Less than 85%
Maximum Building Height	5 stories/ 68'	One-story
Number Parking Stalls	No minimum	72
Accessible Stalls	Yes	1
Loading	None	None
Number Bike Parking Stalls	Auto Sales and Rental: 1 per 5 employees	4
Landscaping	Yes	Yes
Lighting	Yes	No
Building Forms	Yes	Yes (Free-Standing Commercial 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. The site is serviced by multiple bus routes and Metro's South Transfer Point, which provides access to additional routes, is located approximately 1.5 miles to the northeast.

Project Description, Analysis, and Conclusion

The applicant, Thomas Zimbrick, requests approval to demolish one building for the purpose of constructing a new auto sales facility. This request is subject to the standards for demolition permits. The structure proposed for demolition is a one-story 9,925 square foot auto sales facility constructed in 1986. An exterior photo is included in the submission and available online at https://www.cityofmadison.com/dpced/planning/documents/1809wbh_site.pdf. No further information on the building's condition was provided.

The proposed future use is a one-story auto sales facility with a parts deck and will have approximately 18,000 square feet of gross floor area. The proposed building is close to West Beltline Frontage Road and has 72 surface automobile parking stalls located around the building. These spaces include stalls for customers (11), service (24), employees (12), and inventory (19). In addition, the applicant has provided four (4) bike parking stalls. The Zoning Administrator requests that the applicant label the various types of parking on the site plan, including employee, customer, service, and inventory stalls.

The building's northern and western facades are primarily glass with "shaped sky" aluminum composite material (ACM) panels placed over black ACM panels on the top portion of the building. The proposed east and west facades also have metal sandwich panels with a sandblast finish. The front northern elevation has two clear overhead garage doors. No southern elevation drawings have been provided. The Planning Division requests that all elevations be provided as an approval condition.

The Planning Division believes that the standards for Demolition Permits can be met. The Landmarks Commission has reviewed the application and found no known historic value for the site. Prior to approving this proposed demolition, the Plan Commission must find that the 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 CC (Commercial Center 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. From a land use standpoint, the proposal would replace an existing permitted auto sales facility with a new, larger auto sales facility, which is allowed with demolition permit approval. Staff believes that the redevelopment provides a stronger street presence compared to the existing condition.

Demolition standards recommend consideration of adopted plan recommendations. The Comprehensive Plan recommends the subject site and neighboring areas for general commercial uses. According to the Comprehensive Plan automobile-oriented uses, such as service stations, repair garages, car washes, vehicle sales and drive-through facilities are recommended land uses for this area. The nearest residential development is approximately 0.5 miles southwest in the City of Fitchburg. The area is zoned MDR (Medium Density Residential) with existing multi-family dwelling units. Considering the existing development pattern immediately surrounding this site, staff believes the project can be found to be compatible with the adopted recommendation.

At the time of report writing, staff had not received any public comment on this proposal. The Planning Division believes that the applicable standards can be met with the recommended conditions.

Recommendation

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish the existing structure at 1809 West Beltline Highway for the purpose of constructing a new automobile sales facility. 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 Review (Contact Kevin Firchow, 267-1150)

1. The applicant shall provide all building elevations to City Staff for final sign-off.

Engineering Review Main Office (Contact Timothy Troester, 608-267-1995)

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. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
5. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. It appears the proposed connection invert is too low for the existing inlet to serve. Verify inlets and revise storm sewer design as needed.
6. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. This project requires an EC Permit & Plan. EC Permit application can be found at <http://www.cityofmadison.com/engineering/permits.cfm>. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
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. 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% (TMDL) off of the proposed development when compared with the existing site. Oil/Grease Control is required for the proposed parking areas.
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. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. (POLICY)
11. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)
12. The construction of this project will require that the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum. (MGO 16.23(9)c)
13. The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. (MGO 16.23(9)(d)(6))
14. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
15. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
16. 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)
17. All damage to the pavement on W Beltline Frontage Rd, 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)
18. The Applicant shall Construct Sidewalk to a plan approved by the City.

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

19. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage, vehicle display and doors that swing outward into walkway.

20. The applicant shall align the pedestrian walkway from the public Right-of-Way to the front walkway adjacent the western entrance.
21. It is recommended all bicycle racks be two feet from all walkways to accommodate bicycle trailers and irregularly parked bicycles
22. 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.
23. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
24. 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.
25. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
26. The applicant shall submit for review all cross-access easements and note on the face of the plan.
27. The applicant shall install sidewalk along the West Beltline Frontage Road.

City Eng. Review Mapping (Contact Jeffery Quamme, (608) 266-4097)

28. This parcel at 1809 W. Beltline Hwy. (0709-344-0089-0) and the parcel at 1813 W. Beltline Hwy. (0709-344-0094-9) have been conveyed as a single parcel since at least 1947. There has not been a legal land division of the lands in the record at the Register of Deeds during that time frame. The City of Madison Assessor's office will combine the two tax parcels into one tax parcel.
29. Applicant shall provide a copy of a recorded access agreement that provides for access between this property and the two parcels in the Town of Madison at 2810 Bryant Road and 1801 W. Beltline Highway.

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

30. The proposed building shall comply with the design standards for building materials in Section 28.060. Reduce the use of EIFS on the building. EIFS is allowable for use as a trim or accent material or at the top of a building. This material shall not be used within three feet of the ground or used in heavily trafficked pedestrian areas or where high pedestrian traffic is anticipated.

31. 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).
32. 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.
33. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
34. Submit an overall site plan exhibit for the entire zoning lot including the property to the south located at 1813 W Beltline Highway.
35. Verify and provide a calculation for lot coverage with the final submittal. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
36. Label the various types of parking on the site plan, including employee, customer, service, and inventory stalls.
37. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of one (1) bicycle stall per five (5) employees 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 of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
38. 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.
39. Per Sections 28.142(3)(c) and 28.142(4)(e), planting beds or planted areas must contain at least 75% vegetative cover mulched. Mulch shall consist of shredded bark, chipped wood or other organic material installed at a minimum depth of two (2) inches.
40. Provide adequate development frontage landscaping per Section 28.142(5) Development Frontage Landscaping. 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.
41. 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.

42. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
43. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade.
44. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
45. 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.
46. 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.

Fire Review (Contact William Sullivan, (608) 261-9658)

47. The fire access lanes proposed on Sheet 4 of 5 are based on the parameters of a fully sprinklered building; however, the 1.5-inch water supply would not be sufficient to supply the proposed fire sprinkler system.
48. Without the installation of a fire sprinkler system, the indoor display of vehicles shall comply with IFC 314.4.

Parks/Forestry Review (Contact Janet Schmidt, (608) 261-9688)

49. Additional street trees are needed for this project. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
50. Contractor shall contact City Forestry bhofmann@cityofmadison.com or 266-4816 at least one week prior to planting to schedule inspecting the nursery stock and review planting specifications with the landscaper.

Water Utility Review (Contact Adam Wiederhoeft, (608) 266-9121)

51. A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266-4654 for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.

52. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. 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.

53. The proposed development may require the installation of a fire protection/automatic sprinkler system (see also Madison Fire Department review comments); subsequently, a higher capacity water service lateral may be required to meet required flow rates. If a new water service will be required, contact Madison Water Utility Engineering Section to evaluate service connection options, confirmation of water meter size, or any applicable customer account revisions.

54. 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.

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

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