



PREPARED FOR THE PLAN COMMISSION

Project Address: 2501 South Stoughton Road (District 16 – Ald. Tierney)
Application Type: Demolition Permit
Legistar File ID # [54130](#)
Prepared By: Sydney Prusak, Planner
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant, Owner & Contact: Jeff Pauly; 2501 S. Stoughton Road, LLC; 3451 Nappe Drive; Middleton, WI 53562

Requested Action: Approval of a demolition permit with no proposed use at 2501 S. Stoughton Road

Proposal Summary: The applicant proposes to demolish a one-story warehouse building located at 2501 S. Stoughton Road for future development. No specific site plans or future uses are proposed at this time.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO §28.185(7)].

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a one-story warehouse building at 2501 S. Stoughton Road with no proposed future use. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 39,050-square-foot (approximately 0.9-acres) subject property is located at the southwest corner of the S. Stoughton Road and Pflaum Road intersection along the S. Stoughton Road Service Road. The site is located in Aldermanic District 16 (Ald. Tierney) and is within the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes a one-story 13,120-square-foot vacant warehouse building constructed in 1975, zoned IL (Industrial Limited).

Surrounding Land Use and Zoning:

North: Commercial and service businesses zoned CC-T (Commercial Corridor-Transitional), with SE (Suburban Employment) Zoning beyond;

South: A variety of commercial businesses, zoned IL;

East: A parking lot and vacant parcel (both owned by the project applicant), zoned IL; and

West: Automobile sales and service businesses, across Stoughton Road, zoned CC-T, with residential properties zoned SR-C3 and SR-C1 (Suburban Residential – Consistent 3 & Consistent 1) beyond.

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends industrial uses for the subject site. The [Stoughton Road Revitalization Project Plan \(SRRPP\)](#) includes the site along the southern edge of the “Grid

Development Area". According to the SRRPP, this area focuses on improved connectivity and local access with a long-term vision to build five bridges that connect both sides of Stoughton Road. SRRPP recommends that Stoughton Road gradually and incrementally transition from low-density auto-oriented retail and commercial uses that serve a specialized regional niche to uses that serve a general East Side market. The Plan references the Comprehensive Plan's industrial land use recommendation and recommends that the buildings at the Pflaum Road and Stoughton Road intersection should be high quality with strong architectural form that can be gateways to anchor and create entrances to neighborhoods.

Zoning Summary: The property is zoned IL (Industrial Limited District). No new development is proposed at this time; future redevelopment will require review by the 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 range of urban services along the Stoughton Road Corridor, including Madison Metro Route 37, 38, & 31.

Project Description, Analysis, and Conclusion

The applicant, Jeff Pauly, requests approval to demolish a one-story warehouse building with no proposed future use at this time. The applicant intends to develop the property sometime in the future. The structure proposed for demolition is a 13,120-square foot building constructed in 1975. Interior and exterior photos were included in the submission and are available online at:

<https://madison.legistar.com/View.ashx?M=F&ID=6845463&GUID=01929B13-52E2-43CC-A24B-A739D749D161>.

The applicant did not note any structural deficiencies in the application.

The applicant has not provided a proposed use future use as part of this application. As such, this request is subject to the standards for demolition permits and more specifically, 28.185(7)(b) which are for applications with no proposed use. In order to approve a demolition permit with no future use, the Plan Commission must that find either:

- 1) That based on evidence from the Madison Fire Department, Police Department, and/or Building Inspection Division, a potential fire hazard, potential unlawful use of the property, potential public nuisance, or other public health and safety concern supports demolition or removal before a future use is proposed or
- 2) For a non-residential building, the Plan Commission finds that the use, bulk, and design requirements of the existing zoning district designation are adequate to ensure that development will conform to existing adopted City Plans.

No information related to item one was provided. In regards to the second finding, staff notes that industrial uses are recommended for the subject property. The Planning Division believes that the existing IL (Industrial Limited Zoning) could be found to implement the recommended land uses. From a form and design standpoint, the Stoughton Road Revitalization Project Plan has specific recommendations for the subject site including:

- This location is recommended for a "Gateway" building, with minimum setbacks from the corner and a recommended height of three stories at the corner.
- Site important buildings in visible places and design and improve buildings with attractive, pedestrian-friendly frontage to reinforce the human scale. Human scale elements may include features such as prominent windows, doors, and architectural elements.

While industrial zoning districts and building forms have less prescriptive design requirements than commercial and mixed-use districts, the Zoning Code does include design standards that help implement some of the SRRPP's recommendations. For example, the Code limits the amount of parking between the building and front lot line to not exceed one drive aisle and two rows of parking, up to 70 feet. Any new building is also required to have a functional street-oriented entrance. Furthermore, industrial buildings facing a public street are required to be vertically articulated at a minimum interval of every 60 feet. However, staff notes that there are no zoning requirements that would require a taller or multi-story building as recommended in the Plan. Considering this discrepancy, and in keeping with past requests for demolitions without a future use, the Zoning Code allows the Plan Commission to require a property owner to obtain approval from the Plan Commission for an alternative use that is not known at the time of demolition application.

Finally, the Landmarks Commission reviewed this application and found no known historic value for the subject property.

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

Recommendation

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

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 2501 South Stoughton Road with no proposed future use. 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 Sydney Prusak, 243-0554)

1. As a future use was not presented at the time of application, the Plan Commission requires that the alternative future use be approved by the Plan Commission prior to the issuance of permits as allowed under Section 28.175(8)(a) MGO. The property owner shall execute a restrictive covenant prior to issuance of the demolition permit, which requires Plan Commission approval of the proposed alternative use of the property prior to issuance of building permits for any new construction. The standards for approval of the proposed alternative use shall be those in contained in Section 28.185 of the Zoning Ordinance. The form of the restrictive covenant shall be approved by the Planning Division and City Attorney's Office.

Engineering Division – Main Office (Contact Brenda Stanley, 231-9127)

2. 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.
3. 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)

4. 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))
5. 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.

Traffic Engineering (Contact Sean Malloy, 266-5987)

6. Note: This site has the potential to be affected by a future Wisconsin Department of Transportation project as it is within the limits of the Stoughton Road corridor study.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

7. 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).
8. 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.
9. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
10. Approval of the demolition permit will require the removal of all structures including the principal building, parking lot, and driveways. The driveway aprons shall be removed and replaced with curb and gutter as per City of Madison Engineering and Traffic Engineering requirements. During demolition and prior to curb and gutter, barriers shall be installed across the driveways to prevent the parking of vehicles. Disturbed areas shall be graded and seeded or sod planted to minimize erosion.

Fire Department (Contact Bill Sullivan, 261-9658)

11. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Captain Jerry Buechner at jbuechner@cityofmadison.com or (608)516-9195.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

12. 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 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.

13. 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.
14. 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.

Parks/Forestry (Contact Kathleen Kane, 261-9688)

15. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
16. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.