



**Project Address:** 2600 West Beltline Highway  
**Application Type:** Demolition Permit  
**Legistar File ID #** [31018](#)  
**Prepared By:** Kevin Firchow, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant:** Sean Baxter; Mustang Properties, LLC; 2303 West Beltline Highway; Madison, WI 53713  
**Contact:** Travis J. Schreiber, P.E.; Vierbicher Associates; 999 Fourier Dr, Ste 201, Madison, WI 53717  
**Property Owner:** Sean Baxter; Mustang Properties, LLC; 2303 West Beltline Highway; Madison, WI 53713

**Requested Action:** The applicant requests approval to demolish a greenhouse and existing retail buildings with no future use proposed.

**Proposal Summary:** The applicant has acquired the former Johannsen’s Greenhouse property and proposes to remove all improvements. No future use is proposed at this time.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185(7)]

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for demolition permits are met and **approve** the request to demolish a greenhouse and existing retail buildings with no future use proposed at 2600 West Beltline Highway, subject to input at the public hearing and the conditions recommended by the reviewing agencies.

## Background Information

**Parcel Location:** The subject property is a 1.6 acre parcel at the intersection of Todd Drive and the West Beltline Highway frontage road. The parcel is in Aldermanic District 14 and within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The site includes multiple structures, including multiple greenhouse buildings that previously comprised the “Johannsen’s Greenhouse” development. The applicant acquired the property in December 2012 and according to the provided letter of intent, the business closed on August 4, 2013.

### **Surrounding Land Use and Zoning:**

**North:** Commercial, office, and industrial uses, including Waste Management facility. Surrounding properties in the City are zoned CC (Commercial Center) with Town of Madison properties zoned C-2 (Heavy Commercial District);

**South:** Beltline Highway, with a variety of commercial and office development beyond, zoned CC-T Commercial Corridor Transition District;

**East:** Kayser Nissan (Auto Dealer) with other large-format retail developed in the Town of Madison, zoned C-2 (County Zoning); and

**West:** Highway-oriented commercial development zoned CC with the UW Arboretum, zoned Conservancy, beyond.

**Adopted Land Use Plan:** The Comprehensive Plan recommends general commercial development for this property. The recently adopted Arbor Hills-Leopold Neighborhood Plan references the existing zoning standards and Comprehensive Plan recommendations, along with other guidelines as summarized below.

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

|                             | Dimensional Requirements                  | Proposed Development           |
|-----------------------------|---|--------------------------------|
| Front yard setback          | See (a) below                             | TBD                            |
| Side yard setback:          | None unless needed for access             | TBD                            |
| Rear yard setback:          | The lesser of 20% of lot depth or 20 feet | TBD                            |
| Maximum lot coverage        | 85%                                       | TBD                            |
| Maximum height              | 5 stories / 68'                           | TBD                            |
| Useable open space          | 160 sq. ft. per bdrm                      | TBD                            |
| Number parking stalls       | n/a                                       | TBD                            |
| Bike parking                | n/a                                       | TBD                            |
| Landscaping                 | Yes                                       | Yes (Please See Condition # 9) |
| Lighting                    | No  | TBD                            |
| Building forms              | n/a                                       | TBD                            |
| Other Critical Zoning Items | None                                      |                                |

Table Prepared by Patrick Anderson, 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.

## Project Description

The applicant requests approval to demolish the principal retail shop building previously occupied by "Johannsen's Greenhouse." That business closed in early August 2013. Other accessory greenhouses and related improvements previously part of the development will also be removed. The letter of intent notes that the existing hoop-houses and lath houses on site are intended to be reused. No future use or alternative site plan is proposed at this time.

Upon demolition of the buildings, site improvements, including pavement will be removed and the site restored per the applicable city standards. Please see the recommended agency conditions of approval for further information.

The applicant has provided photos of the existing structures:

[http://www.cityofmadison.com/planning/projects/reports/2600wbh\\_photos.pdf](http://www.cityofmadison.com/planning/projects/reports/2600wbh_photos.pdf)

## Analysis and Conclusion

This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185(7)].

### Demolition Approval Standards

Staff believes that the demolition standards can be met. In considering these standards, the Plan Commission must find that the proposed demolition is consistent with the intent and purpose of the zoning district. As no future use is proposed, the Plan Commission also needs to make an additional finding before granting an approval. The standards in Section 28.185(7)(b) state:

1. The Plan Commission finds 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 (*emphasis added*)
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.

At the time of report writing, the applicant had not provided information related to the above Standard 1. However, the Plan Commission can grant approval of the request should it find Standard 2 is met. In this case, the property is zoned CC- Commercial Center District. This zoning district allows a variety of commercial, office, and residential uses and is intended, in part, to encourage the transformation of auto-oriented sites into mixed-use developments.

The Comprehensive Plan recommends “General Commercial” development for the site, which is a flexible recommendation that includes a range of uses including auto and highway-oriented developments. The recently adopted Arbor Hills-Leopold Neighborhood Plan includes this site in the “Evergreen View Business Area.” That plan notes that land use and zoning should be consistent with the Commercial Center (CC District) zoning and with the general recommendations of the Comprehensive Plan. More specific recommendations encourage architecturally significant, mixed use buildings with high-quality building materials in this area. Staff notes that in addition to the CC- zoning district standards, future developments are also subject to the Design Standards for all mixed-use and commercial districts which provide regulations for materials, façade articulation, window coverage, and equipment screening. On balance, staff believes that it is possible for the Plan Commission to find that Standard 2 is met.

Finally, no objections to this demolition request were raised by the Preservation Planner or by the Landmarks Commission.

### Conclusion

Staff believes the applicable standards can be met for a demolition with no proposed future use. At this location, staff does not believe the removal of the existing site improvements in advance of a more detailed development proposal would result in a negative impact on the normal and orderly development and improvement on surrounding properties. At the time of report writing, staff was not aware of any concerns on this proposal.

## Recommendation

### Planning Division Recommendation (Contact Kevin Firchow, 266-5974)

The Planning Division recommends that the Plan Commission find that the standards for demolition permits are met and **approve** the request to demolish a greenhouse and existing retail buildings with no future use proposed at 2600 West Beltline Highway, 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

### City Engineering Division (Contact Janet Dailey, 261-9688)

1. The applicant shall remove the non-conforming parking areas in the right of way and abandon the existing driveways and curb cuts and replace with standard curb and gutter. The applicant shall restore the terraced areas with seed and mulch. This work shall be completed within 12 months of the approval of the project unless directed otherwise by the Zoning Administrator.
2. The demolition application and approval calls for the entire site to be seeded and become pervious. Upon completion of the removal of all private impervious improvements, including the non-conforming parking areas within the public right-of-way, the owner/applicant shall contact Lori Zenchenko so the Stormwater Utility pervious/impervious billing can be properly adjusted and reduced accordingly. LZenchenko@cityofmadison.com or (608) 266-5952.
3. 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)
4. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). 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) lot lines and right-of-way lines, e) Street names, f) Stormwater Management Facilities, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
5. 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. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

### Traffic Engineering Division (Contact Eric Halvorson, 266-6572)

Comments were not provided at the time of report writing.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

6. Sec. 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, Mr. George Dreckmann. (608-267-2626).
7. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
8. Section 28.076 (5) Alterations to Approved Designs. For buildings approved pursuant to (b) or (c) above, the Director of the Department of Planning, Community and Economic Development may approve minor alterations or additions if he/she determines that such alterations or additions are consistent with Sec. 28.071(3), if applicable.
9. Approval of the demolition permit will require the removal of all structures including the driveway landscaped and seeded to minimize erosion, remove asphalt driveway and apron and replace with curb and gutter as per City Engineering & Traffic Engineering requirements. During demolition and prior to curb and gutter, installation of barriers shall be installed across the driveway to prevent the parking of vehicles.
10. Section 28.185 (9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

**Fire Department** (Contact Bill Sullivan, 261-9658)

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| 11. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities (608) 246-4587. |
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**Water Utility** (Contact Dennis Cawley, 261-9243)

12. The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

**Parks Division** (Contact Kay Rutledge, 266-4714)

13. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.