



## Report to the Plan Commission

February 4, 2013

**Legistar ID #28785**  
**4817 Hammersley Road**  
**Demolition Permit and Conditional Use**

Report Prepared By:  
Timothy M. Parks, Planner,  
Planning Division Staff

**Requested Actions:** Approval of a demolition permit to allow a single-family residence at 4817 Hammersley Road to be razed and a conditional use for an accessory parking lot to serve an office building located at 4902 Hammersley Road.

**Note:** The application for this project was filed on November 28, 2012 under the 1966 Zoning Code and is subject to review under that ordinance.

**Applicable Regulations & Standards:** Section 28.08(2)(c) first identifies accessory parking lots serving a non-residential use as a conditional use in the R1 district subject to conditions. Section 28.12(11) provides the guidelines and regulations for the approval of conditional uses. Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit and conditional use to allow a single-family residence at 4817 Hammersley Road to be razed and construction of an accessory parking lot for an office building at 4902 Hammersley Road subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

### Background Information

**Applicant:** Robert Feller, Iconica; 901 Deming Way; Madison.

**Property Owner:** Midwest Equity Properties, LLC; 7719 Greenwood Road; Verona.

**Proposal:** The applicant is requesting approval to demolish the existing single-family residence at 4817 Hammersley Road to allow construction of a parking lot to serve the Pacific Cycle headquarters located at 4902 Hammersley Road. The applicant wishes to begin demolition and construction of the project as soon as all regulatory approvals have been granted, with completion anticipated in September 2013.

**Parcel Location:** An approximately 0.6-acre site located 150 feet east of Reetz Road on the south side of Hammersley Road; Aldermanic District 10 (Solomon); Madison Metropolitan School District.

**Existing Conditions:** The subject site is developed with a single-family residence, zoned SR-C1 (Suburban Residential-Consistent 1) [formerly R1 (Single-Family Residence District)].

#### Surrounding Land Use and Zoning:

North: Pacific Cycle, zoned SE (Suburban Employment) [formerly C2 (General Commercial District)];

South: Single-family residences, zoned SR-C1 (Suburban Residential-Consistent 1) [formerly R1 (Single-Family Residence District)] and SR-C2 (Suburban Residential-Consistent 2) [formerly R2 (Single-Family Residence District)];

West: Single-family residences along Reetz Road, zoned SR-C1 [R1];

East: Sub-Zero/ Wolf Appliances, zoned IL (Industrial-Limited District) [C3 (Highway Commercial District) and M1 (Limited Manufacturing District)];.

**Adopted Land Use Plan:** The Comprehensive Plan identifies the subject site and other residential properties generally to the west of the site and along and west of Reetz Road for Low-Density Residential uses. The existing Pacific Cycle property to the north and the Sub-Zero/Wolf Appliances facility to the west are recommended for Employment uses.

**Environmental Corridor Status:** This site is not located within a mapped environmental corridor.

**Public Utilities and Services:** The property is served by a full range of urban services, including peak-period weekday Metro Transit service operating along Reetz and Hammersley roads.

**Zoning Summary:** The site is zoned SR-C1 (Suburban Residential–Consistent 1) [formerly R1 (Single-Family Residence District)]. The proposed conditional use shall be reviewed under the R1 zoning under which it was submitted.

Requirements		Required	Proposed
Lot Area		6,000 sq. ft.	25,920 sq. ft.
Lot Width		50'	135.6'
Front Yard		0'	64'
Side Yards		7', 20' for driveway setbacks	9' 10' on west for parking lot; Western driveway 28' from P/L
Rear Yard		N/A	11.33'
Floor Area Ratio		N/A	--
Building Height		N/A	--
No. of Parking Stalls		0	56
Accessible Stalls		4	0 (See cond. 33a pg. 8)
Loading		N/A	--
No. Bike Parking Stalls		N/A	--
Other Critical Zoning Items			
Yes:	Barrier Free, Utility Easements		
No:	Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development		
Prepared by: Pat Anderson, Asst. Zoning Administrator			

**For Informational Purposes Only:** Accessory parking lots in a residential zoning district serving a non-residential use on another site are not identified as a permitted or conditional use in the 2011-2012 Zoning Code.

## **Project Review, Analysis & Conclusion**

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The applicant is requesting approval of a demolition permit and conditional use to allow an existing single-family residence at 4817 Hammersley Road to be demolished and a 56-stall accessory surface parking lot to be constructed. The parking lot is proposed to provide additional parking to serve the expansion of Pacific Cycle's headquarters, which is located across Hammersley Road from the subject site and is concurrently being reviewed for a zoning map amendment and demolition permit for 4902-4908 Hammersley Road (ID 28711 and 28784 on this agenda). The applicant indicates that the

expanded facilities for Pacific Cycle will facilitate the addition of 30 or more new employees to serve the growing company.

The demolition permit and conditional use application was filed on November 28, 2012 and is subject to review under the 1966 Zoning Code. Under the transition rules found in Section 28.008 of the 2011-2012 Zoning Code, any application that was filed with and determined to be fully complete by the City prior to the January 2, 2013 effective date of that ordinance shall continue through the process to completion pursuant to the terms and conditions of the ordinances and codes that were in place at the time of filing.

The existing residence to be demolished is a 1.5-story Cape Cod-style home constructed in 1946, which contains 4 bedrooms, 1 full bath, 2 half-baths and an attached two-car garage adjacent to the eastern wall of the residence according to City records. The site includes areas of mature vegetation along the boundaries of the property and adjacent to the residence. There is a six-foot chain link fence along the eastern property line shared with Sub-Zero and Wolf Appliances and residential privacy fences along a portion of the western property line, which is shared with the rear yards of single-family residences that front onto Reetz Road.

The 56-stall parking lot proposed to replace the existing residence will be comprised of 2 double-loaded parking aisles accessed from 2 driveways from Hammersley Road. The western edge of parking will be located 9 feet, 10 inches from the adjacent property line, 30 feet from Hammersley Road, and 11 feet, 4 inches from the southern property line. A stormwater retention pond is proposed between the 2 driveways. A modest landscaping plan has been submitted for the accessory parking lot, which proposes the planting of deciduous shrubs along the western and southern property lines shared with residential properties and 15 shade and ornamental trees throughout the parking lot. Four lights will be installed on 25-foot tall poles to illuminate the parking lot, which the letter of intent indicates will be enclosed with a 6-foot tall wood fence.

The residence to be demolished appears to be in average to above-average condition, and staff would generally not support the demolition of buildings to facilitate construction of parking lots like the one proposed. However, staff believes that the expansion of Pacific Cycle at its present location and its need for adequate parking to support its growth represent an appropriate alternative use for the subject site following the demolition of the residence. Staff believes that the Plan Commission can find the demolition standards met due to the net positive economic impact the expansion of Pacific Cycle at its current location will have.

The Economic Development Division indicates that the Pacific Cycle projects are of significant economic importance to the City of Madison. Pacific Cycle is not only an important employer, but its presence reinforces Madison's brand as a "biking capital" and a healthy city. The project will help retain the existing employment and, as noted in the letter of intent, accommodate more than 30 additional jobs. The \$2.4 million project should increase the property tax base by more than \$1 million by adding approximately 10,000 square feet to the existing facility and providing additional parking, including on the subject site.

Automobile parking lots accessory to a non-residential use and solely for the use of employees and patrons of the use to which it is accessory are identified as conditional uses in the R1 zoning district under which the subject application was submitted. Accessory parking lots for a non-residential use such as the one proposed for 4817 Hammersley Road to serve the Pacific Cycle headquarters to the north, are subject to the following conditions under the 1966 code:

- a.) That such parking lot shall be used solely for the parking of passenger automobiles.

- b.) That such parking lot shall be closed between the hours of 10:00 p.m. and 7:00 a.m. except as otherwise authorized.
- c.) That such parking lot is located on a zoning lot:
  - i. That either abuts, or is separated only by an alley at one of its lot lines from, a commercial or manufacturing district; or
  - ii. On which the principal nonresidential use is a permitted use; or
  - iii. That is directly across a street from a commercial or manufacturing district, except that where such street is a "heavy traffic route" such parking facility shall not be approved unless a separated pedestrian crossing or walk signals provide for pedestrian crossing.
- d.) That each entrance and exit to and from such parking lot shall be at least 20 feet distant from any adjacent property located in any residence district, except when ingress and egress to and from the parking lot is provided from a public alley or public street separating such residence areas from the parking lot.

Staff believes that the above conditions can be met for the proposed accessory parking lot. The lot is designed for passenger automobiles only, and the western driveway serving the lot will be located 28 feet of the western property line shared with the residences to the west along Reetz Road. The applicant indicates that the parking lot will not be available between 10:00 p.m. and 7:00 a.m. as generally required, and a crosswalk is shown across Hammersley Road to connect the proposed lot to the main office site to the north. Staff further believes that the proposed parking lot can meet the standards applicable to all conditional uses. The subject site is located along the westerly edge of an established commercial area that extends east of the site, and staff generally believes that the parking lot will not impact the uses, values and enjoyment or the normal and orderly development of the established residential neighborhood located to the west.

### **Staff Recommendations, Conditions of Approval & General Ordinance Requirements**

Major/Non-Standard Conditions are shaded

#### **Planning Division Recommendation** (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit and conditional use to allow a single-family residence at 4817 Hammersley Road to be razed and construction of an accessory parking lot for an office building at 4902 Hammersley Road, subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

1. Revise the project plans per Planning Division approval prior to the issuance of a demolition permit for 4817 Hammersley Road as follows:
  - 1a. Provide more information on the lighting controls for the accessory parking lot, including providing photometric information for the lot if the lights are to remain on after hours;
  - 1b. Provide the final details of the fencing and screening, including elevations of the 6-foot privacy fence and a clear delineation of where the fencing will be erected; staff recommends that the fence extend the entire length of the western and southern property lines adjoining the residential lots along Reetz Road;
  - 1c. Revise all of the plan sheets to correctly note the spelling of Hammersley Road;
  - 1d. Revise the landscaping plan to show all existing landscaping and areas of tree cover to remain on the site. Staff recommends that the mature tree cover present along the edges of the site be preserved if possible during construction and screening of the parking lot, and that any existing vegetation remain be shown on the final plans.

2. The hours of operation for the accessory parking lot shall be 7:00 a.m. to 10:00 p.m. daily. Any change in the hours of operation for this lot shall require approval of an alteration to the conditional use by the Director of the Planning Division following a recommendation by the district alder.

The following conditions have been submitted by reviewing agencies:

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

3. Communicate with City agencies whether intentions will be ownership transfer or lease of lands for proposed accessory parking lot and provide proper documentation.
4. Construct sidewalk in the standard location through the driveways at 4817 Hammersley Road.
5. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer 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. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
6. The applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along Hammersley Road in accordance with Section 66.0703(7)(b) of Wisconsin Statutes and MGO Section 4.09.
7. The applicant shall grade the property line along Hammersley Road to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
8. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
9. All work in the public right of way shall be performed by a City-licensed contractor.
10. All damage to the pavement on Hammersley Road adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
11. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
12. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. 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 7.5-tons per acre per year.
13. For Commercial sites less than 1 acre in disturbance, the City of Madison is an approved agent of the Department of Commerce and Department of Natural Resources (WDNR). As this project is on

a site with disturbance area less than one (1) acre, 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.

14. Prior to final approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide oil & grease control from the first 1/2" of runoff from parking areas, and; 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.
15. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
16. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
17. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm sewer lateral that serves a building that is proposed for demolition. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing 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: New plugging procedures and permit fees are in effect as of January 1, 2013.
18. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
19. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.
20. 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.

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6527)

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| 21. The applicant shall relocate the Hammersley Road mid-block crossing shown on the plans to the west side of the westerly driveway of the new parking lot being constructed on the 4817 Hammersley Road site to allow for installation of a pedestrian refuge island. |
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22. The applicant shall provide a continuous pedestrian walkway from the 4902 Hammersley Road building main entrance to the Hammersley Road mid-block crossing.
23. The applicant will need to enter into a developer's agreement to install the following:
- 23a.) A pedestrian refuge island at mid-block crossing of Hammersley Road with a "continental" epoxy crosswalk per City of Madison S.D.D. 6.38.
  - 23b.) Sidewalk along the frontage of the 4817 Hammersley Road parcel from the easterly driveway to the Hammersley Road mid-block crossing location.
  - 23c.) An ADA-accessible pedestrian ramps to connect the public sidewalk to the mid-block crossing.
  - 23d.) All necessary signing and marking to install the mid-block crossing.
24. The applicant as part of the developer's agreement shall agree to pay the City of Madison for the ongoing costs of maintaining the mid-block crossing of Hammersley Road, as this crossing is a direct benefit to the site. This shall be represented on the plans prior to final approval.
25. When the applicant shall submit plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing and proposed property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'. Contact the Traffic Engineering Division if you have questions.
26. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
27. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
28. The applicant shall execute and return a declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

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

29. All street tree planting locations and trees species in the right of way shall be reviewed by City Forestry. Please submit a tree planting plan in PDF format to Dean Kahl (266-4816) at [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com). Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

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

30. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued. Sec 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the

approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

31. Parking lot plans with greater than 20 stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
32. Lighting is required. Provide a plan showing at least .5 footcandle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 feet from the adjacent lot line. (See City of Madison lighting ordinance).
33. Parking requirements for persons with disabilities must comply with MGO Sec. 28.11(3)6.(m), which includes all applicable State accessible requirements, including but not limited to:
  - a.) Provide a minimum of four accessible stalls striped per State requirements. These stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent to and on the passenger side. One each for the surface and underground parking areas.
  - b.) Show signage at the head of the stalls.

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

Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Please consider allowing the Madison Fire Department to conduct training sequences on this site prior to demolition. Contact the MFD Training Division at 246-4587 to discuss this possibility.

**Water Utility** (Contact Dennis Cawley, 261-9243)

34. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

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

This agency did not submit comments for this request.