



## Report to the Plan Commission

May 10, 2010

**Legistar I.D. #18002**  
**4622 Dutch Mill Rd**  
**Demolition Request**

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval of the demolition of a single-family residential structure and construction of a new office building in the C3L (Limited Highway Commercial) District.

**Applicable Regulations & Standards:** 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 finds the project meets all applicable demolition standards and **approve** the proposed demolition.

### Background Information

**Applicant/Project Contact:** Steven Ring; All Construction and Design; 4916 Triangle St.; McFarland

**Property Owner:** Veterans of Foreign Wars; 301 Cottage Grove Rd.; Madison

**Proposal:** The applicant proposes the demolition of a small single-family residential structure to construct a new, small office building. The applicant intends to initiate demolition after all approvals are obtained, followed by construction.

**Parcel Location:** 4622 Dutch Mill Road is located on the north side of Dutch Mill Road, between the East Broadway Service Road and Femrite Drive; Urban Design District 1; Aldermanic District 16 (Compton); Madison Metropolitan School District.

**Existing Conditions:** The 14,300 square foot (0.33-acre) lot has a small single-family residential structure constructed in 1950 that has recently been used by the applicant as an office. A small detached garage sits in the northwestern portion of the lot, accessed by a narrow driveway shared with the property immediately to the west.

#### Surrounding Land Use and Zoning:

**North:** Equipment sales and outdoor storage in facility in the C3L (Limited Highway Commercial) District

**East:** Immediately to the east, an access driveway to the equipment sales facility mentioned above, and further east, a mobile home community in the PCD-MHP-SIP (Planned Community Development-Mobile Home Park-Specific Implementation Plan) District.

**South:** Directly across Dutch Mill Road, commercial and light industrial uses with prevalent outdoor storage of containers and equipment, and the Dutch Mill Park and Ride lot located further to the southwest, all in the C3L District.

**West:** Surface parking lot at site of former motel, in the C3L District

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends General Commercial uses for the area.

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

**Public Utilities and Services:** The property is served by a range of urban services, and limited Metro Transit Service.

**Zoning Summary:** The property is in the C3L (Limited Highway Commercial) District.

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	13,770 sq. ft. existing
Lot width	50'	90' existing
Usable open space	n/a	n/a
Front yard	0'	71'
Side yards	0'	10' RS / 14' LS
Rear yard	10'	32'
Floor area ratio	3.0	Less than 1.0
Building height	---	1 story

**Site Design**

No. Parking stalls	6	9 <i>(see Condition No. 18, p. 6)</i>
Accessible stalls	1	2
Loading	n/a	n/a
No. Bike Parking stalls	2	2 <i>(see Condition No. 19, p. 6)</i>
Landscaping	No	
Lighting	Yes	<i>(see Condition No. 20, p. 7)</i>

**Other Critical Zoning Items**

Urban Design	Yes
Historic District	No
Landmark Building	No
Flood Plain	No
Utility Easements	No
Waterfront Development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

*Prepared by: Pat Anderson, Asst. Zoning Administrator*

**Project Description**

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**Existing Conditions**

The 14,300 square foot (0.33-acre) lot has a small single-family residential structure constructed in 1950 that has recently been used by the applicant as an office. A small detached garage sits in the northwestern portion of the lot, accessed by a narrow driveway shared with the property immediately to the west.

**Site and Building Plans**

*"Site Plan #2"*. The site plan preferred by the applicant includes the replacement of the existing access driveway with a new access driveway in the center of the property, a surface parking area with nine stalls facing Dutch Mill Road, and a 2,380 square foot, one-story structure in the center of the rear portion of the lot, parallel to the street. A pedestrian access path is proposed around the eastern perimeter of the parking area, linking the public sidewalk to two bicycle parking stalls and the building entrance. A small stormwater detention pond is located in the southeastern portion of the lot, and a flagpole is shown near the southwest corner of the building.

The landscape plan is provided for Site Plan #2, and includes six new trees, and several shrubs along the front foundation of the building and in the northwest corner of the parking lot.

The building as proposed has an exterior with fiber cement shakes on the front and sides, an entrance framed with concrete masonry units, and metal sheeting on the rear elevation. The roof extends over the entrance of the building and slopes gently downward from the front to the back.

*“Site Plan #4”*: This alternative site plan rotates the building 90 degrees, and places all parking on the west side of the property, to be accessed by the existing shared driveway. Similar to Site Plan #2, this alternative includes a pedestrian access path, bike parking a stormwater detention pond, and a flagpole. The applicant notes that this orientation results in a slightly greater amount of impervious surface than the preferred plan.

It is assumed that if “Site Plan #4” is the building orientation approved by the UDC on May 5, a similar landscape plan will be prepared by the applicant for final staff review and approval.

### **Related Approvals**

After referring the proposal at its March 17 meeting, the Urban Design Commission granted initial approval for the design of the site and building on April 7, 2010, with the following recommended conditions:

- Full landscape plan shall be provided prior to final approval
- Revised site plan shall show pedestrian access from public sidewalk to building entrance
- Driveway access issues shall be resolved
- If the building is repositioned on the site, architecture shall be modified accordingly.

For the May 5 meeting of the UDC, the applicant submitted two alternatives (titled “Site Plan #2” and “Site Plan #4”, and both included in the Plan Commission packet), noting a strong preference for Site Plan #2. The results of the May 5 UDC meeting are included at the back of the packet, along with any additional conditions of approval placed on the proposal at that meeting.

### **Evaluation**

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#### **Demolition and Proposed Use**

Originally considered for potential relocation, the existing single-family residential structure is generally in fair to good condition, with hardwood floors and other components that can potentially be reclaimed and reused elsewhere. The existing single-family residential structure is currently utilized as a small office by the property owner, and would not be permitted to be used again as a single-family residence in the C3L Zoning District.

If this structure were located in a residential urban area, it would be difficult to support its demolition, but its location adjacent to a surface parking lot and an equipment sales lot in the midst of other commercial and light industrial uses makes it a relatively poor fit, and its absence and replacement will not result in a “hole” in the urban fabric of the area.

Staff understands that discussions with a party interested in relocating the house have ceased for the time being, and that the applicant intends to instead focus on reusing and recycling as much of the structure as possible. If relocation becomes an option in the near future, staff would support it, but believes that a recycling and reuse plan approved by the City’s Recycling Coordinator would be sufficient.

The proposed new use, a small commercial building, is generally consistent with the Comprehensive Plan recommendation for General Commercial uses in this area. The proposed building will better meet the needs of current and potential future users.

### **Site Plan and Building Design**

Throughout the review process, the applicant has indicated a strong preference to providing surface parking for nine automobiles in front of the building with wider-than-required stalls (10' wide), noting that a majority will be utilized by elderly veterans needing extra space to enter and exit vehicles. With encouragement from staff and the UDC, the applicant explored alternative parking arrangements, each of which resulted in a net gain of impervious surface on the property. While "Site Plan #2" (preferred by the applicant) is very similar to the original site plan submitted, the applicant has successfully reoriented the building parallel to Dutch Mill Road and removed a small portion of the asphalt surface originally proposed in front of the building.

If this proposal involved a deeper surface parking lot for a larger project altogether, the placement of all of the parking in the front of the building would be difficult to support. However, staff is comfortable supporting the small surface lot as proposed in "Site Plan #2", which allows for the building to parallel Dutch Mill Road with the front entrance oriented to the street. The Urban Design Commission will presumably make a choice between "Site Plan #2" and "Site Plan #4" during their May 5 meeting, and staff will include a brief summary of the outcome at the back of this packet.

The fiber cement, concrete, and metal exterior meet the standards within Urban Design District 1 and the modest budget for the project. The roof overhang above the entrance provides a unique identifying feature for the building.

Staff has encouraged the applicant to incorporate more openings, particularly a few additional windows on the rear of the building, and a set of transom windows on the front to allow for more natural day lighting in the interior. While not recommended as a condition of approval, additional openings shown on elevations in final plan set would be a change supported by staff.

### **Public Input**

The project is supported by the District 16 Alder, who has attended meetings with staff and the applicant to work to address concerns expressed by the Urban Design Commission.

A nearby property owner has expressed interest to staff in seeing something built with high quality materials and "more substantial" than a one-story building on the site. Her written comments to the Plan Commission are more specific, indicating discontent with the exterior materials and the roof overhang. While a taller, more substantial, or differently designed building on this small lot may be suitable, staff believes that the building as proposed is adequate, noting that it meets the needs of the owner, as well as the design standards for Urban Design District 1.

### **Conclusion**

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Planning Division staff believes that the requisite standards can be met, and recommends that the Plan Commission find that the demolition and conditional use standards can be met and **approve** the request subject to input at the public hearing and conditions from reviewing agencies.

### **Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

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#### **Planning Division Recommendation** (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards can be met and **approve** the request subject to input at the public hearing and the following conditions:

**Planning Division** (Contact Heather Stouder, 266-5874)

1. Final plans submitted for staff approval *may* include additional windows on all elevations and clerestory windows on the front of the building to enhance opportunities for day lighting the interior space.
2. A landscape plan consistent with the approved site plan will be included in the final plan set for staff review and approval.

***The following conditions have been submitted by reviewing agencies:***

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

3. Any damage to the pavement on Dutch Mill Road will require restoration in accordance with the City's Patching Criteria.
4. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
5. 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.
6. 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).
7. 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.
8. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain 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) All Underlying Lot lines or parcel lines if unplatted
  - g) Lot numbers or the words "unplatted"
  - h) Lot/Plat dimensions
  - i) Street names

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

**NOTE:** Email file transmissions preferred [addressing@cityofmadison.com](mailto:addressing@cityofmadison.com) . Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))

9. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. (MGO 10.05(6)) and MGO 35.02(4)(c)(2)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
10. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. (POLICY) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
11. 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)

**Traffic Engineering Division** (Contact John Leach, 267-8755)

12. When the applicant submits final plans of one contiguous plan 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 property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway approaches to lots on either side signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
13. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
14. All off-street facilities shall be paved in accordance to City of Madison General Ordinance Section 10.08(6)(a) 10. The applicant shall note on the site plan the type of paved surface to be installed.
15. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter according to MGO and noted on the plan. The applicant will need to remove the abandoned approach and replace it with curb and gutter.
16. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
17. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

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

18. Parking requirements for persons with disabilities must comply with MGO Sec. 28.11(3)6.m, which includes all applicable State accessibility requirements, including but not limited to:
  - a) Provide a minimum of one accessible stall striped per State requirements. The stall shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
  - b) Show signage at the head of the stall.
  - c) Show the accessible path from the stalls to the building.
19. Bike parking shall comply with MGO Section 28.11. Provide two (2) bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan.

**NOTE:** A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Provide a detailed drawing of bike stalls.

20. Lighting is required and shall be in accordance with MGO Sec. 10.085. Provide a plan showing at least 0.5 foot candle on any surface on any lot, and an average of 0.75 foot candles. The maximum light trespass shall be 0.5 fc at 10 ft. from the adjacent lot line (see City of Madison lighting ordinance).
21. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 (Sign Code) and MGO Chapter 33 (Urban Design District ordinances). Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
22. Provide a reuse-recycling plan, to be reviewed and approved by the City's Recycling Coordinator, Mr. George Dreckmann ([gdreckmann@cityofmadison.com](mailto:gdreckmann@cityofmadison.com) 267-2626), prior to a demolition permit being issued.
23. MGO Sec. 28.12(12)(e) 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.
24. Remove existing driveway and close street entrance as per City Engineering and Traffic Engineering requirements.

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

25. 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 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)

Per the letter of intent, where the applicant expressed concerns that the new facility be as barrier-free as possible due to Veterans with age and/or disabilities, Metro Transit would note the following items:

26. Metro Transit provides only limited bus service in the area of this site. Trips operate on weekdays only just the morning and afternoon commute hours, serving the bus stop location at the Dutch Mill Park and Ride lot approximately 500 feet west of the site.
27. Metro Transit currently provides only limited complimentary paratransit service (to riders eligible under Federal ADA guidelines) to this area. Service hours are limited to weekdays only, generally between the hours of 6:45 AM and 6:15 PM.
28. The proposed site plan does not appear to provide an accessible walkway between the public sidewalk along the north side of Dutch Mill Road and the building entrance location (***NOTE: this has been addressed in revised plans***). Additional gaps in the public sidewalk network would further hinder wheelchair access between the bus stop location at the Dutch Mill Park and Ride Lot and the site.

**Fire Department** (Contact Scott Strassburg, 261-9843)

29. This agency did not submit comments for this request.



**Legistar I.D. #18002**  
**4622 Dutch Mill Rd**  
**Demolition Request**

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**May 5 Urban Design Commission Action**

On May 5, the Urban Design Commission voted 6 to 2 to grant final approval for the proposal in support of "Site Plan #2", on the condition that an enhanced landscape plan be prepared for review by the Urban Design Commission to better screen the surface parking area in front of the building and to provide a greater variety of plant species.

**Revised Condition No. 2**

Staff recommends revising Condition No. 2 in the staff report, which read, "*A landscape plan consistent with the approved site plan will be included in the final plan set for staff review and approval.*" to,

2. Prior to the issuance of a demolition permit, an enhanced landscape plan shall be prepared and submitted for review and approval by the Urban Design Commission. The landscape plan will better screen the surface parking area, and will incorporate a greater variety of plant species.