



Report to the Plan Commission

April 26, 2010

Legistar I.D. #18191
1229 Applegate Rd
Demolition Request

Report Prepared By:
Heather Stouder, AICP
Planning Division Staff

Requested Action: Approval of the demolition of a one story commercial structure and restoration of area as green space 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: John J. Hogerty II; Bergstrom Cadillac-HUMMER, Inc.; 1 Neenah Center, Ste. 700; Neenah

Property Owner: Bergstrom Cadillac-HUMMER, Inc.; 1200 Applegate Rd.; Madison

Proposal: The applicant proposes the demolition of a one-story commercial building and a restoration of the property to green space. The applicant intends to initiate demolition after all approvals are obtained.

Parcel Location: 1229 Applegate Road is located on the south side of Applegate Road between Applegate Court and Latham Drive (southeast of the Beltline Highway and Fish Hatchery Road); Aldermanic District 14 (Bruer); Madison Metropolitan School District.

Existing Conditions: The 0.46-acre triangular parcel currently has two access driveways from Applegate Road, and approximately 7,000 square feet of paved surface to the west and north of the existing structure. The retail building and attached warehouse/loading dock together comprise approximately 7,500 square feet, and are in poor condition as detailed in an architectural analysis and photographs included with the application.

Surrounding Land Use and Zoning:

North/West: The property lies adjacent to the Beltline Highway interchange at Fish Hatchery Road, and is distant from other private properties. Across the Beltline Highway to the north (approximately 500 feet away) are commercial properties in the C2 (General Commercial) District, and across Fish Hatchery Road to the west (approximately 1000 feet away) are commercial properties in the Town of Madison.

South/East: The property is surrounded by automobile dealership properties owned and operated by Bergstrom Cadillac-HUMMER, Inc. in the C3L (Limited Highway Commercial) District.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends Industrial Uses for this property. There is no adopted neighborhood plan for this 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.

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

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	20,786 sq. ft.
Lot width	50'	adequate
Front yard	0'	n/a
Side yards	0'	n/a
Rear yard	10'	n/a
Floor area ratio	2.0	n/a

Site Design

No. Parking stalls	n/a	
Accessible stalls	n/a	
Loading	n/a	
No. Bike Parking stalls	n/a	
Landscaping	As shown	(See Condition No. 11, p. 4)

Other Critical Zoning Items

Urban Design	No
Historic District	No
Landmark Building	No
Flood Plain	No
Barrier free (ILHR 69)	Yes

Prepared by: Pat Anderson, Asst. Zoning Administrator

Project Description

Existing Conditions

The 0.46-acre triangular parcel is wedged between two other properties owned and operated by Bergstrom Cadillac-HUMMER, Inc. The structure on the site was formerly utilized as a beauty supply store with an attached warehouse and loading dock, and is currently vacant and unusable. Constructed in 1965, the precast concrete and masonry structure is in poor condition, with interior water damage from a leaky roof including rust, mold, and visible cracks in the concrete walls.

Demolition and Site Plan

As proposed, the existing building and all paved areas on the site would be removed and seeded as green space. The northern curb cut would be removed and replaced with new curb and gutter, and the southern curb cut is shown to remain for potential future use as an access driveway.

The plan for demolition of the structure, already approved by the City’s Recycling Coordinator, includes the recycling of concrete and metals, safe disposal of mercury and fluorescent lighting, disposal of wood and other waste, and the potential for salvage of some items by Urban Evolution Artifacts in Menasha.

Evaluation

Supplementary materials submitted with the application demonstrate that the existing building is in very poor condition and unsuitable for occupancy. The removal of the building and pavement from the site as shown on the site plan is adequate, with the exception that the apron for the southern access driveway will also need to be replaced with curb and gutter, similar to what is proposed for the northern driveway (see Zoning staff Condition No. 12 below).

The proposed future use for the property in the short term is green space, although the applicant indicates that in the future, the property may be developed as part of the larger automobile dealership property. In the short term, staff believes that the demolition of the building, restoration of the site to green space, and elimination of one of the two access driveways will be an improved aesthetic condition and better suit the needs of the property owner. In the long term, any plan for a revision to the site plan will need to meet all relevant ordinance requirements within the zoning district.

The green space is essentially equivalent to “no proposed future use”. Under the Standards of Approval for demolition requests, the ordinance states that applications for demolition permits with no proposed future use may be approved if, 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 (MGO Section 28.12(12)(c)2.b). In this case, the recommended future land use in the Comprehensive Plan is for Industrial Use. Staff believes that the requirements within the current C3L Zoning (as well as a substantially similar zoning district to be applied in the future) should adequately maintain consistency with the Comprehensive Plan for the property.

There has been no public input on the proposal to date.

Conclusion

Planning Division believes that the demolition standards can be met with this proposal, and recommends that the Plan Commission **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

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

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

The following conditions have been submitted by reviewing agencies:

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

1. Any damage to the pavement on Applegate Road will require restoration in accordance with the City's Patching Criteria.
2. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
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. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to 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 MGO Chapter 37.
5. 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 . 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))

6. 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>.
7. 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>.

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

8. 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, 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'.
9. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter according to M.G.O. and noted on the plan.

Zoning Administrator (Contact Pat Anderson, 266-5978)

10. 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 (*approved February 19, 2010*).
11. Future development shall meet applicable building and zoning ordinances following applicable processes. As the result of no application for the proposed use, the site shall be landscaped and seeded to minimize erosion.
12. Remove asphalt driveway apron and replace with curb and gutter. During demolition and prior to curb and gutter installation, concrete barriers shall be installed across the driveway to prevent the parking of vehicles.

Water Utility (Contact Dennis Cawley, 261-9243)

13. 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.

Fire Department (Contact Scott Strassburg, 261-9843)

This agency submitted a response with no conditions of approval for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this request.