



Project Address: 5402 Voges Road
Application Type: Demolition Permit
Legistar File ID # [31538](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: John Bieno; TJK Design Build; 634 West Main Street; Madison, WI 53703
Contact: John Bieno; TJK Design Build; 634 West Main Street; Madison, WI 53703
Property Owner: MMI Properties LLC; 5301 Voges Road

Requested Action: The applicant requests approval of a demolition permit to remove and relocate an existing single-family home to allow for the construction of an office building.

Proposal Summary: The existing log-cabin style home will be relocated to a site outside of the City. Upon its removal, the applicant proposes to construct a one-story, 10,550 square foot office building.

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 demolition standards are met and **approve** the demolition permit for the removal of an existing single-family home to allow the construction of an office building at 5402 Voges Road. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 297,080 square foot (6.8 acre) subject property is located on the north side of Voges Road, at its intersection with Marsh Road. The site is within Aldermanic District 16 and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is currently developed with an existing single-family home and a detached garage. Portions of this large property include delineated wetlands, though the proposed development does not appear to be within the wetland areas or required setbacks.

Surrounding Land Use and Zoning:

North: Wetlands, with contractor office and surface parking, beyond, Zoned IL (Industrial Limited);

South: Multi-tenant building zoned IL;

East: Tradesman Industrial Park, zoned IL with three residences in the Town of Blooming Grove zoned A1 (Exclusive Agriculture) and;

West: Dane County Humane Society, zoned IL.

Adopted Land Use Plan: The Comprehensive Plan recommends industrial development for this site.

Zoning Summary: The property is zoned IL (Industrial Limited District)

Dimensional Requirements	Required	Proposed
Lot area	20,000 sq. ft.	297,080 sq. ft.
Front yard setback	0	79.5'
Side yard setback: other cases	One-story: 5 Two-story or higher: 6	Adequate
Rear yard setback	30'	Adequate
Maximum lot coverage	85%	Less than 85%
Maximum height	5 stories / 68 See (d) below	1 story
Number parking stalls	No minimum	50 (See Comment #31)
Bike parking	1 per 2,000 sq. ft. floor area	6
Landscaping	Yes	Yes (See Comment #30)
Lighting	Yes	Yes (See Comment #28)
Accessible stalls	2	2
Loading	1	1
Building forms	Yes	Meets building forms
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. Submitted plans show the proposed improvements are located outside of nearby delineated wetlands and wetland setbacks.

Public Utilities and Services: This property is served by a full range of urban services.

Project Description

The applicant proposes to remove and relocate an existing single-family home for the purpose of constructing a new office building.

The existing structure is a log-cabin style home. Photos of the structure are available in the packets and can be viewed online at: http://www.cityofmadison.com/planning/projects/reports/5402vr_photos2.pdf. Staff understands the home will be relocated outside of the City.

The proposed building is a 10,550 square foot building which will serve as an office headquarters for Trane, a manufacturer of heating and air conditioning systems. The center of the building features the primary entrance and will be clad in aluminum composite panels. Taller elements line both sides of the building's center and are primarily clad in vertical sided aluminum.

There are two rows of parking provided between the building and the street, as allowed under the site's IL (Industrial Limited) District zoning. Plans show that 50 automobile and six bike parking stalls will be provided. As part of this proposal, the applicant will also install public sidewalk along the frontage of this property. Frontage landscaping is provided between the parking lot and the street including 32 Juniper.

A "future building" and parking lot expansion are shown east of the proposed building, on this same property. These improvements are intended to be illustrative and are not proposed to be constructed at this time. The applicant has noted that the portion of the 15-stall surface parking area proposed between the buildings may ultimately be used that future building.

Analysis and Conclusion

Building removals are subject to the standards for Demolition Permits [M.G.O. Section 28.185(7)].

Demolition Approval Standards

Staff believes the Demolition Approval Standards can be met. In order to approve the requested building removal, the Plan Commission must find that the proposed removal and future use are both 1) consistent with the intent and purpose of the zoning district and 2) that the proposed future use is compatible with the purpose of the demolition section of the ordinance. The demolition standards also state that the proposed use should be compatible with adopted plans. Staff notes that office uses are permitted in the IL (Industrial Limited) zoning district.

Maximum Parking Stall Consideration

No conditional use is required to establish this use. Staff notes that as proposed, the site plan includes eight automobile parking stalls above the maximum number of allowed stalls. The code allows for up to 20 stalls above the maximum to be permitted by the Zoning Administrator. Plan Commission conditional use approval would be required for more than 20 stalls above the maximum, though that doesn't apply to this request.

Conclusion

Staff believes the project meets the applicable standards for building demolitions and removals. The resulting development is similar in character to development on the opposite side of Voges Road. Further, the removal of the structure removes a non-conforming residential use on an industrially-zoned property. Staff has recommended that the applicant revise the landscape plan to provide a greater variety of frontage landscaping. At the time of report writing, staff had not received any public comments or concerns related to this proposal.

Recommendation

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the demolition permit for an existing single-family home to allow the construction of an office building at 5402 Voges Road. 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 Kevin Firchow, 267-1150)

1. That this approval shall be valid for the removal or demolition of the subject structure. No further Plan Commission action is necessary should the anticipated building relocation efforts not be successful and the building be demolished.
2. That a revised landscape plan be provided for staff approval to show more variety of frontage landscaping.

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

3. The new building will have an address of 5302 Voges Rd. The 5402 Voges Rd address number will be retired with the historical records of the house (the house is being relocated to lands outside of the City of Madison).
4. Application states the owner is MMI Properties LLC. Assessor records indicate property is owned by TNT of McFarland LLC.
5. Applicant shall provide evidence of proper permitting from the Dane County Department of Health for septic system removal or abandonment.
6. A copy of the wetland delineation report and an electronic DGN file of the wetland boundary shall be provided to City Engineering.
7. The construction of the sidewalk along Voges Road will require a developer's agreement.
8. Sidewalk ramp shall be required for the crosswalks at the intersection of Owl Creek Drive.
9. 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. (MGO 16.23(9)c)
10. This property has deferred assessments for the Marsh Road Street Assessment District - 2003 for street, sanitary sewer and water main assessments will be due upon connection to the sanitary sewer and water systems and as part of the site plan approval.
11. Value of sidewalk installation over \$5000. The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along Voges Road. (MGO 16.23(9)(d)(6))
12. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)

13. All damage to the pavement on Voges Road and Marsh Road, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
14. 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.
15. 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)
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Detain the 2 & 10-year storm events; b) Control 80% TSS (5 micron particle) off of new paved surfaces; c) Reduce TSS off of the proposed development by 80% when compared with the existing site; d) Provide oil & grease control from the first 1/2" of runoff from parking areas; and e) 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.
17. 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, and all other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred zenchenko@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))
18. 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).
19. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc... and d) Sediment loading calculations.

20. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))

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

21. To improve pedestrian circulation on/off and around the site, include a pedestrian connection directly from the front entrance of the building to the public sidewalk on Voges Rd

22. When the applicant submits plans for approval, the applicant shall show the following on one contiguous plan: existing items in the terrace (e.g., signs and street light poles), type of surfaces, percent of slope, existing and proposed property lines, addresses, all easements, all pavement markings, building placement, adjacent driveway approaches to lots on either side and across the street, signage, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, parking stall dimensions including the two (2) feet overhang on a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.
23. The developer shall post a deposit and reimburse the City for all costs associated with any modification to traffic signals, street lighting, signing and pavement marking, and conduit/handholes, including labor, engineering and materials for both temporary and permanent installations.
24. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
25. The developer shall include for review turning movements for a vehicle demonstrating the use of the loading zone on the final plan.

Zoning Administrator (Contact Pat Anderson, 266-5978)

26. 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).
27. 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.
28. Section 28.185(9) (a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
29. Lighting is required and shall be in accordance with City of Madison General Ordinances Section 10.085.
30. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances prior to sign installations. The existing sign to remain shall comply with code requirements subject to a new sign applicant and approval.

31. Pursuant to Sec. 28.142 (3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
32. Bike parking shall comply with City of Madison General Ordinances Table 28I-3 (General Regulations). Provide the minimum number of 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. Provide details of bike rack on final plan sets.
33. Parking & Loading shall comply with MGO sec. 28.141 (13): Provide (1) 10' x 35' loading areas with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
34. Pursuant to section 28.141 (6.) b.(2) The additional 8 stalls over the maximum is approved.

Fire Department (Contact Bill Sullivan, 261-9658)

35. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Water Utility (Contact Dennis Cawley, 261-9243)

36. 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.

Parks Division (Contact Kay Rutledge, 266-4714)

37. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. 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.
38. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. 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. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
39. 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. 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/2013/Part1.pdf>.

40. 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.