



Report to the Plan Commission

March 19, 2012

Legistar I.D. #25620
204 West Main Street, 31 South Henry Street
Demolition Request

Report Prepared By:
Heather Stouder, AICP
Planning Division Staff

Requested Action: Approval of the demolition of a vacant three-story church rectory building in the C4 (Central Commercial) District and a vacant three-story school building in the PUD-SIP (Planned Unit Development – Specific Implementation Plan) District.

Applicable Regulations & Standards: Section 28.12(12) provides the guidelines and regulations for the approval of demolitions.

Summary Recommendation: The Planning Division recommends that the Plan Commission finds that the demolition standards can be met and **approve** the request for the demolition of a commercial building and construction of a new commercial building.

Background Information

Applicant/Property Owner: Kevin Phelan; Diocese of Madison; 702 South High Point Rd., Madison

Project Contact: Robert Shipley; BWZ Architects; 2211 Parmenter St.; Middleton, WI 53562

Proposal: The applicant proposes to demolish two vacant three-story buildings, one formerly used as a rectory for St. Raphael's Cathedral, and the other formerly used as a church-affiliated school. As proposed, following demolition, the property would be regraded and landscaped, and would include eight community garden plots, until such time as a new church is proposed for the site.

Parcel Location: The adjacent parcels comprise the northeast block face along South Henry Street, between West Washington Avenue and West Main Street; Aldermanic District 4 (Verveer); Madison Metropolitan School District.

Existing Conditions: The property includes two parcels as follows: a 45,400 square foot (1+acre) parcel on West Main Street between South Henry Street and South Fairchild Street, which was the site of the former St. Raphael's Cathedral. Approximately 80% of this property is grass today, and the existing three-story rectory building sits in the southwest corner of the site. The second parcel is approximately 11,000 square feet in size on the corner of South Henry Street and West Washington Avenue. Aside from shallow setbacks formed by the jagged edges of this building, it covers nearly the whole parcel. Both buildings are vacant and proposed for demolition. In fair to good condition from a structural standpoint, the interiors are in poor condition. The school building sits was approved in June, 2008 for rezoning from C4 to PUD-GDP-SIP for adaptive reuse as apartments, but this rezoning has not been recorded.

Surrounding Land Use and Zoning:

Northeast: Eight-story, 154,000 square foot government office building in the C2 (General Commercial) District, and grass open space on the site of the former St. Raphael's Cathedral, in the C4 (Central Commercial) District

Southeast: Across West Main Street, Dane County public parking ramp, in the C2 (General Commercial District)

Southwest: Across South Henry Street, an eleven story multifamily residential building with ground floor commercial space (Capitol West Condominiums), in the PUD-SIP (Planned Unit Development – Specific Implementation Plan) District

Northwest: Across West Washington Avenue, a thirteen-story, 202,000 square foot office building in the C2 (General Commercial) and C4 (Central Commercial) Districts

Adopted Land Use Plan: The Comprehensive Plan (2006) includes this property in the Downtown Core Mixed-Use Sub-District, where a wide range of commercial, residential, and civic uses are recommended.

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

Public Utilities and Services: The property, in the Downtown Core, is served by a wide range of urban services.

Zoning Summary: The property is in the C4 (Central Commercial) District and PUD-SIP District.

| Requirements | Required | Proposed |
|-------------------|---------------|-------------------------|
| Lot Area | 6,000 sq. ft. | 56,633 sq. ft. existing |
| Lot width | 50' | Existing |
| Usable open space | TBD | No proposal |
| Front yard | 0' | No proposal |
| Side yards | 0' | No proposal |
| Rear yard | 10' | No proposal |
| Building height | TBD | No proposal |

Site Design

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|--------------------|-----------------------------|-------------|
| No. Parking stalls | Central area, none required | No proposal |
|--------------------|-----------------------------|-------------|

Other Critical Zoning Items

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|-------------------|---|
| Urban Design | Yes- upon redevelopment, for new development in C-4 |
| Landmark Building | No |
| Floodplain | No |
| Utility Easements | None shown |

Prepared by: Pat Anderson, Assistant Zoning Administrator

Project Description

Existing Conditions

The property includes two parcels. A 45,400 square foot (1+acre) parcel on West Main Street between South Henry Street and South Fairchild Street was the site of the former St. Raphael's Cathedral. Approximately 80% of this property is grass-covered today, and the existing three-story rectory building sits in the southwest corner of the site. The second parcel is approximately 11,000 square feet in size on the corner of South Henry Street and West Washington Avenue.

Aside from shallow setbacks formed by the jagged edges of this former school building, it covers nearly the whole parcel. Both buildings are vacant and proposed for demolition. In fair to good condition from a structural standpoint, the interiors are in poor condition, with the school having been. The applicant indicates that the building formerly utilized as a school was gutted by a previous owner (see submitted photographs). The school building was approved in June 2008 for rezoning to a PUD-SIP for adaptive reuse as apartments, but this rezoning was never recorded.

Proposal

The applicant proposes a full demolition of both existing three-story buildings and a regrading, seeding and landscaping of the property as an interim use, until such time as a new church building is proposed. Through a private deed restriction, the property is limited for future redevelopment with a new catholic church, and that is the long term intent of the applicant.

The landscape plans submitted for the site include a regrading and grass-seeding of the entire property, with a mix of new deciduous and coniferous trees and shrubs. All sloped areas are to have erosion control mats applied to the seeding, and trees and planted beds will be covered in three inches of brown mulch. The corner of West Washington Avenue and South Henry Street will have a single

white oak tree, a small area planted with native perennials (fox sedge, butterfly weed, and blue flag iris), and boxwood and currant shrubs will frame the corner of the property.

Two alternative landscape plans have been submitted for the corner of West Main Street and South Henry Street.

Alternative A includes eight community garden plots, each approximately 20' by 20', surrounded by a wood picket fence and separated by gravel pathways.

Alternative B omits the community gardens, adding one more Japanese lilac and clusters of rose bushes, a pin oak, and a black gum tree.

Public Input

The Bassett District of the Capitol Neighborhoods, Inc. generally supports the proposal, but requested two conditions in their letter dated February 21, 2012:

- First, that a maintenance plan be prepared regarding the establishment of lawns and plantings, to prevent erosion.
- Second, that an alternative landscape plan be provided for the area shown as community garden plots, in case the owner does not implement them. If community garden plots are to be provided, a plan including operational details and identifying any proposed structures should be provided.

Staff agrees that these are important issues to be addressed. The applicant has submitted an alternative landscape plan (included in packet), and staff has attempted to capture the essence of these suggestions in recommended Conditions No. 1 and 2, and the erosion concerns should also be addressed in City Engineering conditions.

Staff is unaware of any other public input on the proposal at this time.

Evaluation and Conclusion

Demolition and Proposed Use

This block is a very important piece of the downtown fabric, and staff recognizes the fact that these properties should not remain undeveloped over the long term. However, the existing buildings are generally expendable, and their placement and condition is not conducive to desired redevelopment.

If and when sufficient capital is raised to pursue redevelopment with a church, such a facility would be carefully reviewed by both the Urban Design Commission and the Plan Commission for compliance with the C4 Zoning District and its successor (likely the Downtown Core district) in the new zoning code. Should the property change hands in the future, these reviews would still be in place. In the meantime, the proposed open space, if well-maintained, will likely be a more desirable condition than the boarded up buildings currently on the site.

Landscape Plan

Staff believes that either landscape plan submitted is sufficient as an interim state for the property, but agrees that more detail should be provided and evaluated prior to the implementation of community gardens on the site (Alternative A). While supportive of the idea of increased access to community gardens in the Downtown area, issues such as the provision of water, fencing, and garden management should be carefully thought out and reviewed before building the gardens for use.

Should the owner decide not to implement community gardens on the property for 2012, the landscape plan shown in Alternative B should be implemented. If community gardens are pursued in the future, staff recommends that the applicant provide further detail on the proposed fence, any proposed water

source, any structures for storage of tools and water, and a management plan for how the gardens are to be used and maintained (see Condition No. 1).

Planning Division staff 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 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:

Planning Division (Contact Heather Stouder, 266-5874)

1. Prior to any implementation of community garden spaces on the site, the applicant shall submit further detail, for review and approval by staff, to include the following:
 - a) Detail on the proposed fence and gates surrounding the gardens,
 - b) Detail on any proposed water source,
 - c) Detail on any proposed storage structures and/or items such as compost bins and rain barrels, and
 - d) Plan for the overall management of the gardens.
2. Proposed landscaping is to be well-maintained, as shown on approved plans.
3. The applicant shall submit a revised landscape schedule for staff review and approval that includes the species labeled "BFI", "FS", and "BFW" as shown near the corner of West Washington and Henry Streets.

The following conditions have been submitted by reviewing agencies:

Zoning Administrator (Contact Pat Anderson, 266-5978)

4. 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.
5. 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.
6. Approval of the demolition permit will require the removal of all structures and improvements, excluding the fence and retaining wall along Henry Street. Any driveway opening or curb cut must be removed and replaced with curb and gutter as per City Engineering and Traffic Engineering requirements, and landscaped/seeded or otherwise designed to minimize erosion. After demolition and prior to curb and gutter replacement, the installation of physical barriers shall be required across the private property adjacent to any driveway aprons, to prevent the parking/access of vehicles on the site.
7. Future development shall meet applicable building and zoning ordinances following applicable processes.

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

8. The temporary construction entrance shall be removed and terrace, curb, sidewalk restored at the end of the project.
 9. The drive apron shall be removed on S. Henry Street, curb shall be replaced, and the grass restored in the terrace.
 10. The steps in the terrace on W. Main Street shall be removed and replaced with a grassed terrace.
 11. Approval of any tree removal, trimming or replacement shall be obtained from the City Forester. A tree removal permit shall be obtained prior to removing any City owned tree.
 12. Contact Engineering Mapping (Lori Zenchenko lzenchenko@cityofmadison.com) when site work is completed and restored to seed for proper updates to Stormwater Utility impervious records to assure proper billing reduction.
13. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
 14. *Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.* The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees (MGO 16.23(9)(d)(6)). This permit application is available on line at: <http://www.cityofmadison.com/engineering/permits.cfm>.
 15. 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 (POLICY).
 16. 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).
 17. All damage to the pavement on S. Henry St. and W. Washington Ave. 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).
 18. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 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.
 19. 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.
 20. 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 Misc. 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))

21. 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)

22. This agency submitted a report with no comments for this proposal.

Fire Department (Contact Bill Sullivan, 261-9658)

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| 23. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities at (608) 246-4587. |
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Water Utility (Contact Dennis Cawley, 261-9243)

24. This property is not in a wellhead protection district. All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21. The Water Utility will need a copy of the approved plans.

Parks Division (Contact Kay Rutledge, 266-4714)

25. This agency did not submit comments for this proposal

Metro Transit (Contact Tim Sobota, 261-4289)

26. This agency did not submit comments for this proposal.