



PREPARED FOR THE PLAN COMMISSION

Project Address: 3014 Worthington Avenue/3001 Darbo Drive (District 6 – Ald. Rummel)
Application Type: Demolition Permit and Conditional Use
Legistar File ID # [53609](#)
Prepared By: Sydney Prusak, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant, Contact & Property Owner: Doug Strub; Future Madison Eastpointe, LLC; 2249 Pinehurst Drive; Middleton, WI; 53562

Requested Action: The applicant requests a demolition permit and conditional use alteration to demolish a multi-family dwelling to construct an accessory building exceeding 800-square-foot in the SR-V2 (Suburban Residential – Varied 2) Zoning District and expand open space within a residential building complex at **3014 Worthington Avenue**.

Proposal Summary: The applicant proposes to demolish a vacant two-story, six-unit, multi-family dwelling to construct an 864-square-foot accessory building and expand open space within a residential building complex.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185(7)] and Conditional Uses [MGO §28.183].

Review Required by: Plan Commission (The Urban Design Secretary administratively reviewed this request on behalf of the Urban Design Commission)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for demolitions and conditional uses are met and **approve** the demolition and conditional use requests to demolish an existing two-story multi-family dwelling to construct an accessory building exceeding 800-square-foot and expand open space within a residential building complex in the SR-V2 (Suburban Residential – Varied 2) Zoning District at 3014 Worthington Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 171,327-square-foot (approximately four acres) subject property is bounded by Darbo Drive to the north, Rosemary Avenue to the east, Worthington Avenue to the south, and Clyde Gallagher Avenue to the west. The site is within Aldermanic District 6 (Ald. Rummel) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is a residential building complex, which includes 17 multi-family buildings. The specific building proposed for demolition is a two-story, approximately 4,800-square-foot, six-unit, multi-family dwelling. City Assessor’s records indicate the building was constructed in 1965 and has four three-bedroom units and two three-bedroom units. According to the original site plan for the complex, there are a total of 78 dwelling units on the entire property.

Surrounding Land Use and Zoning:

North: The Salvation Army of Dane County, zoned Commercial Corridor – Transitional (CC-T);

South: Worthington Park, zoned Suburban Residential – Varied 2 (SR-V2);

East: Single and multi-family homes, zoned Traditional Residential - Varied 1 (TR-V1) and Traditional Residential – Consistent 4 (TR-C4); and

West: Starkweather Creek, with single and two-family homes, zoned TR-C4 beyond.

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends Low Medium Residential (LMR) for the subject site. The [Darbo-Worthington-Starkweather Neighborhood Plan \(2017\)](#) recommends Medium Density Residential (MDR) for the general site, but makes a specific note calling for Park and Open Space at the location of the building proposed for demolition (see page 18 of the [Plan](#)).

Zoning Summary: The property is zoned SR-V2 (Suburban Residential-Varied 2).

Requirements	Required	Proposed
Lot Area (sq. ft.)	2,000 sq. ft./d.u. (144,000 sq. ft.)	171,327.63 sq. ft.
Lot Width	60'	516'
Front Yard Setback	25'	Adequate (13)
Side Yard Setback	10'	Existing side yard
Reverse Corner Side Yard Setback	12'	Existing side yard
Rear Yard Setback	Lesser of 25% of lot depth or 30'	Existing rear yard
Usable Open Space	500 sq. ft./d.u. (36,000 sq. ft.)	Adequate
Maximum Lot Coverage	60%	Less than 60%
Maximum Building Height: Accessory Building	15'	Less than 15'

Site Design	Required	Proposed
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (72)	Existing parking stalls (14)
Accessible Stalls	Yes	Existing accessible stalls
Loading	Not required	None
Number Bike Parking Stalls	Not required	Existing bicycle stalls
Landscaping and Screening	Yes	Yes (15)
Lighting	Not required	Existing lighting
Building Forms	Not required	Accessory building

Other Critical Zoning Items	Urban Design (Residential Building Complex); Utility Easements
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Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

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

Project Description

The applicant proposes to demolish a vacant two-story, six-unit, multi-family dwelling to construct an 864-square-foot accessory building and expand open space within a residential building complex. City Assessor's records indicate that the existing building was constructed in 1965 and has approximately 4,494 square-feet of living area, consisting of two three-bedroom units and four two-bedroom units. According to the applicant, the building has been vacant since 2015 and had exterior damage following a 2017 tornado. The applicant provided a Building Condition Report as part of their application, which notes that several basement windows are either broken or boarded up and vegetation is growing in the basement window wells. The letter and photos of the existing conditions are included in the Plan Commission packets and are available [online](#).

After demolition, the applicant will construct an 864-square-foot accessory building to store maintenance tools for the entire residential complex. This maintenance shed will be approximately 13.3 feet tall and consist of vinyl lap siding. The additional area will be used as a common area green space for complex residents. As proposed, the applicant will remove one fallen tree from the property. Additional landscaping features will be planted around the new accessory building.

Analysis and Conclusion

This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185(7)] and Conditional Uses [MGO §28.183].

Demolition Details & Standards

In order to approve a demolition, MGO §28.185(7) states that, the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section and the intent and purpose of the SR-V2 (Suburban Residential - Varied 2) Zoning District. The demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. Furthermore, the proposal should be compatible with adopted plans. Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission.

Staff believes that the demolition standards can be met with this proposal. This proposal is generally consistent with the land use recommendations in the [Comprehensive Plan \(2018\)](#) and the [Darbo-Worthington-Starkweather Neighborhood Plan \(2017\)](#) for Low Medium Density and Medium Density Residential. More specifically, the [Darbo-Worthington-Starkweather Neighborhood Plan \(2017\)](#) makes a specific note for Parks and Open space on this specific site within the building complex. Moreover, the removal of the existing building and proposed accessory building is not anticipated to have a negative impact on either the normal and orderly development or the improvement of surrounding properties. Lastly, at their November 20, 2017 meeting, the Landmarks Commission found that the building itself was not historically, architecturally, or culturally significant.

Conditional Use Standards

Given that this building is part of an existing conditional use, the proposed demolition is considered a major alteration and is therefore subject to the Conditional Use Approval Standards. Furthermore, any accessory building exceeding 800-square-feet is a conditional use in the SR-V2 Zoning District. The Planning Division believes the standards for conditional uses can be found met. In regards to the approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design

guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met. As stated above, staff believe the proposal is generally consistent with both the [Comprehensive Plan \(2018\)](#) and the [Darbo-Worthington-Starkweather Neighborhood Plan \(2017\)](#). Furthermore, the Planning Division does not anticipate that a larger accessory building within a residential building complex will have a negative impact on either the normal and orderly development or the improvement of surrounding properties.

Conclusion

In conclusion, the Planning Division believes that the standards for Demolition and Removal Permits and Conditional Uses can be found met.

At the time of report writing, staff was not aware of additional concerns regarding this proposal.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the standards for demolition and conditional uses are met and **approve** the demolition and conditional use requests to demolish an existing two-story six-unit dwelling and construct an 864-square foot accessory building in the SR-V2 (Suburban Residential - Varied 2) Zoning District at 3014 Worthington Avenue. 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

Engineering Division (Main Office) (Contact Brenda Stanley, (608) 261-9127)

1. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer 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. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
2. 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 5.0 tons per acre per year.
3. 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)
4. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)
5. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files

to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or troester@cityofmadison.com (West). 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) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.) e) Right-of-Way lines (public and private) f) Lot lines or parcel lines if unplatted g) Lot numbers or the words unplatted h) Lot/Plat dimensions i) Street names j) Stormwater Management Facilities k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

6. 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 proposed service. (POLICY)

Engineering Division (Mapping) (Contact Lori Zenchenko, (608) 266-5952)

7. The proposed demolition will remove the physical boundaries of Units 3014-1 through 3014-6 as defined in the Easton Square Condominium. The proposed demolition can proceed without condominium removal.
8. Prior to building permit issuance for the proposed accessory building, the owner shall prepare and submit for approval by the City of Madison, a Condominium Removal Instrument. Additionally, a Certified Survey Map to consolidate all of the underlying lots comprising this site into one lot is recommended to dissolve underlying lot lines that may inhibit future improvement projects. The document shall be recorded and creation of any new tax parcel required by the Assessor's office will be completed prior to site plan sign off for the proposed new accessory building.

9. The site plan shall show the property lines with dimensions.

Zoning (Contact Jenny Kirchgatter, (608) 266-4429)

10. Section 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, Bryan Johnson (608-266-4682).
11. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
12. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
13. Show the garage setback off the Worthington Avenue property line.
14. On the site plan, show the existing parking stalls and accessible stalls. Show the parking stalls adjacent to the proposed garage and access to the garage.
15. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 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.
16. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of

the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

17. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Tracy Burrus at tburrus@cityofmadison.com or (608)266- 5959.

Parks/Forestry Division (Contact Kathleen Kane, (608) 261-9671)

18. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. 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.
19. 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 prior to the start of construction. 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/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

20. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.
21. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.