



## Report to the Plan Commission

April 23, 2012

**Legistar I.D. #25765**

**12 North Webster St.**

**Demolition and Conditional Use Request**

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval of the demolition of a warehouse building for the construction of six surface parking stalls in the C2 (General Commercial) District.

**Applicable Regulations & Standards:** Section 28.12(11) provides the guidelines and standards for the approval of conditional uses. Section 28.12(12) provides the guidelines and standards for the approval of demolition permits.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the demolition standards can be met and **approve** the demolition request subject to the conditions below and input at the public hearing. The Planning Division recommends that the Plan Commission find that the conditional use standards are not met and **place on file** the conditional use request, subject to input at the public hearing.

### Background Information

**Applicant/ Property Owner/Project Contact:** Julie Wiedmeyer; Urban Land Interests; 10 East Doty Street, Suite 300; Madison, WI 53703

**Proposal:** The applicant proposes the demolition of a vacant 4,500 square-foot two-story brick warehouse building constructed in 1929 for replacement with six surface parking spaces. The applicant intends to initiate demolition after all approvals are obtained.

**Parcel Location:** 12 North Webster Street is located on the southwest side of North Webster Street between East Mifflin Street and East Washington Avenue; Urban Design District 4; Aldermanic District 4 (Verveer); Madison Metropolitan School District.

**Existing Conditions:** The 5,300 square foot lot has a brick warehouse building constructed in 1929, according to the City Assessor's records. The two-story building is 4,500 square feet in size, and sits in the back of the property, approximately 70 feet from North Webster Street. The property is accessed via a driveway from East Washington Avenue, through adjacent properties under the same ownership which comprise an existing parking lot with 35 stalls. The applicant seeks to expand this parking lot to 41 stalls following demolition of the building.

### Surrounding Land Use and Zoning:

**Southwest:** Across a twelve foot public alley, a Landmark Building with offices at 7 North Pinckney Street in the C4 (Central Commercial) District.

**Northwest:** Bank building in the C4 (Central Commercial) District.

**Northeast:** Across North Webster Street to the northeast, auto supply store in the C2 (General Commercial) District.

**Southeast:** Four separate parcels owned by the applicant which comprise a 35-stall surface parking lot accessed from East Washington Avenue, in the C2 (General Commercial) District. A small Landmark Building sits on a separate property in front of the parking lot, at 1 North Pinckney Street.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) places this property in the Downtown Core Subdistrict, where a broad mix of commercial, office, and residential land uses are recommended.

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

**Public Utilities and Services:** The property is very well served by urban services, including several Metro Transit Routes running through the Capitol Square.

**Zoning Summary:** The property is in the C2 (General Commercial) District

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	16,302 sq. ft. existing
Lot width	50'	40' existing
Usable open space	0	OK
Front yard	0'	OK
Side yards	0'	OK
Rear yard	0'	OK

**Site Design**

No. Parking stalls	Central area, none required	6 additional , 36 existing
Landscaping	Yes	<i>Please see Conditions 15-16, p.5</i>

**Other Critical Zoning Items**

Urban Design District	Yes- #4, Airport/Downtown Corridor
Landmark Building	No
Floodplain	No
Utility Easements	None shown

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

**Project Description**

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The applicant requests approval for the demolition of a two-story brick warehouse building, originally constructed in 1929, and replacement with six surface parking stalls as an expansion to the surrounding 36-stall surface parking lot. The six new stalls would be constructed to serve a nearby property, directly across the public alley to the west. A conditional use is required to allow for the parking to serve another property.

**Public Input** - Staff is unaware of public input on the proposal at this time.

**Related Approvals** - On March 21, 2012, the Urban Design Commission voted 4-3 to recommend approval of the proposed design of the expanded surface parking area.

**Evaluation and Conclusion**

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**Demolition-** The brick warehouse building is in fair to poor condition, especially in the interior of the building, due largely to deferred maintenance and extended vacancy. Notably, the Madison Fire Department has noted in their comments that they support demolition due to hazards associated with the condition of the building. The Landmarks Commission had no reservations regarding the demolition of the building, although they are very interested in reviewing future redevelopment plans for the block and its relationship with the Landmark Buildings adjacent to the parking lot.

The building proposed for demolition does not have a strong presence within the urban fabric of the outer loop, as it sits back 70 feet from North Webster Street. It is difficult to argue with the assertion that its restoration would a very expensive undertaking, and uses other than storage may be difficult to accommodate. Staff is generally supportive of the demolition.

**Proposed Future Use** - The proposed expansion to the existing surface parking lot, while a small expansion, is not consistent with recommendations in the Comprehensive Plan for the Downtown Core sub-district. The Comprehensive Plan recommends avoiding large surface parking lots in the entire Downtown area, and the Downtown Core sub-district is recommended to be the most intensively developed area in the Downtown, with a mix of uses supported by structured parking. While it is likely that the entire property, including the parking lot, will be redeveloped for high-intensity urban uses in the

future, the surface lot is considered in the zoning code as a “permanent” rather than “temporary” use of the property, and it is impossible to predict how long the parking lot will be there, once established.

While recognizing that it is a relatively small expansion, it is difficult to support the replacement of a building with surface parking, especially within a block of the Capitol Square. Staff has instead encouraged the applicant to consider the alternative of simply replacing the building with greenspace until a comprehensive redevelopment proposal for the block is proposed and approved, and recommends that the Plan Commission approve the demolition with this alternative use.

**Conditional Use** - The conditional use requested is for “non-accessory parking”, in other words the use of parking stalls to serve a building located on a different property. In this case, the six proposed stalls would serve a property under ULI ownership just to the west, across a public alley. While six additional parking stalls do not constitute a major addition to the lot, it is difficult to draw a line between an acceptable and unacceptable size of surface parking lot in the Downtown Core. Unfortunately, there is no way to insure that this parking lot, if expanded, will be temporary. As stated earlier, additional surface parking in this location is not consistent with the Comprehensive Plan.

After careful consideration, the Planning Division believes that the demolition standards in MGO Section 28.12(12) can be met with changes to the proposed future use, and recommends that the Plan Commission **approve** the demolition request subject to input at the public hearing and comments and conditions from reviewing agencies. The Planning Division believes that the conditional use standards in MGO Section 28.12(11) cannot be met, and recommends that the Plan Commission **place on file** the conditional use request, subject to input at the public hearing.

## **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 demolition request subject to the conditions below and input at the public hearing. The Planning Division recommends that the Plan Commission find that the conditional use standards are not met and **place on file** the conditional use request, subject to input at the public hearing.

1. A revised site plan shall be submitted for review and approval by staff that omits the six proposed surface parking stalls and replaces this area with grass or an alternative landscape plan.

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

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

2. For solely efficiency reasons, the Engineering Mapping staff suggest the owner make written request to the Assessor’s Office to combine the following parcels, that are currently owned by the same entity, in city records:

251-0709-133-3018-3

251-0709-133-3017-5

251-0709-133-3016-7

251-0709-133-3015-9

251-0709-133-3014-1

3. Drainage overflow from the bioswale area in the west corner of the parking lot shall be piped to the inlet on Webster Street at the North corner of the site.
4. Clearly show the right-of-way lines for the Alley (both sides).
5. The applicant shall reconstruct portion of the public alley as required to install the curb and gutter and bioswale for the parking lot. The applicant shall obtain a Street Excavation Permit for this work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. The applicant shall provide a cash deposit in the amount of \$6000 to guarantee the alley work. Upon acceptance of the work the City will refund the deposit.
6. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
7. 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).
8. 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).
9. All damage to the pavement on North Webster Street, 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)
10. 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 namesAll 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)).
11. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan (POLICY).
12. 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>.

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

13. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, Mr. Georg Dreckmann, prior to a demolition permit being issued.
14. MGO Section 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.
15. Provide a detailed landscape plan as required by MGO Section 28.12. Show species and sizes of landscape elements. Provide a landscape worksheet with the final plans that shows that the landscaping provide meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot, depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total).
16. For parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Within 10' from a driveway crossing of a street lot line, any landscaping/screening shall not exceed 2' in height for vision clearance.

**Fire Department** (Contact Bill Sullivan, 266-4420)

17. MFD supports the demolition of this particular structure due to hazards associated with the current condition of the structure.

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

18. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
19. This property is not in a City of Madison Wellhead Protection District. The wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Traffic Engineering** (Contact Bryan Walker, 267-8754)

20. 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'.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this request.

**Parks Division** (Contact Kay Rutledge, 266-4714)

This agency did not submit a response for this request.