

PLANNING DIVISION STAFF REPORT

February 5, 2018



PREPARED FOR THE PLAN COMMISSION

Project Address: 1032 E. Washington Avenue (District 2 – Ald. Zellers)
Application Type: Demolition Permit
Legistar File ID # [49919](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Jeff Fiftal; Eppstein Uhen Architects; 309 W. Johnson St. #202; Madison, WI 53703

Contact & Owner: Rich Arneson; 1000 N. LLC; 1010 E. Washington Ave. #101; Madison, WI 53703

Requested Action: Approval of a demolition permit with no proposed use at 1032 E. Washington Ave.

Proposal Summary: The applicant proposes to demolish a vacant auto repair facility located at 1032 E. Washington Avenue with no specific site plans or future use proposed at this time.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO Section 28.185(7)(b)].

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish an auto repair facility at 1032 E. Washington Avenue with no proposed future use. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 0.25 acre subject property is located on the northwest side of E. Washington Avenue between North Brearly Street and North Ingersoll Street. The site is in Aldermanic District 2 (Ald. Zellers), Urban Design District 8, and is within the Madison Metropolitan School District.

Existing Conditions and Land Use: The 10,824 square foot (0.25 acre) subject site includes a two-story commercial building, namely a 5,640 square foot (4,200 square foot footprint) automobile repair facility constructed in 1963, with additions in 1965 and 1969. Formerly the site of CarX, the parcel is zoned TE (Traditional Employment).

Surrounding Land Use and Zoning:

North: Vacant land, zoned Traditional Employment (TE) District;

West: Lyric building, an eleven-story mixed use building, zoned TE;

South: Across East Washington Avenue, a parking lot, manufacturing building, and warehouse, all zoned TE; and

East: Across East Washington Avenue, a parking lot and car wash, zoned TE, a three-story apartment building with small office space, zoned PD, and, beyond, a Metro Transit bus garage zoned TE.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2006) recommends Employment land uses for the subject site. The [East Washington Capitol Gateway Corridor Plan](#) (2008) recommends Employment/Residential land uses for this site with a maximum building height of eight stories (with a potential 2-story height bonus) and a maximum façade of five stories along East Washington. The [Tenney-Lapham Neighborhood Plan](#) (2008) recommends Employment for this site, with building height limits from the [East Washington Capitol Gateway Corridor Plan](#).

Zoning Summary: The property is zoned TE (Traditional Employment District). No new development is proposed at this time; future redevelopment will require review by the Zoning Administrator and Urban Design Committee.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

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

Project Description

The applicant and owner, Stone House Development, requests approval to demolish a two-story building with no proposed future use at this time. The 0.25-acre subject site includes a vacant two-story automobile repair facility constructed in 1963, with additions in 1965 and 1969. The entire building is 5,640 square feet, with a 4,200 square foot footprint. Formerly the site of CarX, the parcel is zoned TE (Traditional Employment) and is within Urban Design District 8 (UDD 8). Stone House Development recently constructed the Lyric mixed-use building immediately to the west and owns or controls the adjacent lots on the 1000 block of East Washington, conceivably for future development.

Analysis and Conclusion

This request is subject to the standards for demolition permits as found in Section 28.185. The statement of purpose in Section 28.185 encourages, in part, that it is “a matter of public policy that the good maintenance and rehabilitation of existing buildings...and the careful consideration and planning of changes in the urban landscape are a public necessity and are required in the interest of the health, prosperity, safety, and welfare of the people. The purpose of this section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the owner, encourage compliance with building and minimum housing codes...” However, the applicant has not provided a proposed use on site in this application. Therefore, this request is specifically subject to the standards for demolition permits with no proposed use, as found in Section 28.185(7)(b), which, for non-residential buildings, requires, “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.”

Stone House Development owns or controls the adjacent lots on the 1000 block of East Washington. [Photographs](#) were included in the submission and are available online. The applicant-provided photos show electrical wires hanging from walls and ceilings, considerable wear within the car repair bays, and missing doors, furnishing, and equipment in the office/waiting room area. The rear of the building is only partially painted and the concrete block construction shows signs of cracks and shifting.

The area is zoned TE, which was established to recognize the many commercial corridors within the City that remain largely auto-oriented, and to encourage their transformation into mixed-use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity. Additionally, this site has several detailed recommendations in adopted plans. The [Comprehensive Plan](#) (2006) recommends Employment land uses for the subject site. The [East Washington Capitol Gateway Corridor Plan](#) (2008) recommends Employment/Residential land uses for this site with a maximum building height of eight stories (with a potential 2-story height bonus) and a maximum façade of five stories along East Washington. The [Tenney-Lapham Neighborhood Plan](#) (2008) recommends Employment for this site, with a building height limits for the [East Washington Capitol Gateway Corridor Plan](#). Furthermore, and perhaps most importantly, the proposed site is located within Urban Design District 8, which has very prescriptive design requirements created to implement the adopted plan recommendations. The required review by the Urban Design Commission ensures review of design and bulk requirements at minimum, and offers the City considerable reviewing control over the design of any future project at this location. New development would minimally require UDC approval for design and, depending on the proposal, Plan Commission review if proposed to require any conditional use approvals, such as dwelling units in a mixed use building or a building over five stories. Planning Staff believes any future development will be appropriately reviewed and this proposal can be found compatible with the adopted recommendation.

At the time of report writing, staff had not received any public comment on this proposal. The Landmarks Commission informally reviewed the proposed demolition on January 29, 2018 and found that the building had no known historic value. Due to the issues outlined above, the Planning Division believes that the standards for Demolition Permits can be met.

Recommendation

Planning Division Recommendation (Contact Colin Punt, 243-0455)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish the existing structure at 1032 East Washington Avenue with no proposed future use. 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

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

1. 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).
2. 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.
3. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
4. Approval of the demolition permit will require the removal of all structures including the principal building, parking lot, and driveway. The driveway apron shall be removed and replaced with curb and gutter as per City of Madison Engineering and Traffic Engineering requirements. During demolition and prior to curb and gutter, barriers shall be installed across the driveways to prevent the parking of vehicles. Disturbed areas shall be graded and seeded or sod planted to minimize erosion.

Engineering Division – Main Office (Contact Brenda Stanley, 231-9127)

5. Based on the use of the property for auto repair, the property may contain residual contaminated soil. If contaminated soil is encountered as part of this demolition or redevelopment, all WDNR and DSPS regulations must be followed for proper handling and disposal.
6. 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>.
7. 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 the proposed service.
8. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
9. 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.
10. This site will disturb 4,000 sf or more of land area and require an Erosion Control Permit.
11. 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.
12. All work in the public right-of-way shall be performed by a City licensed contractor.
13. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.

Fire Department (Contact William Sullivan, 261-9658)

14. 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 (Contact Sarah Lerner, 261-4281)

15. 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/2013/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.