

PLANNING DIVISION STAFF REPORT

March 27, 2023



PREPARED FOR THE PLAN COMMISSION

Project Address: 1521-1525 Gilson Street (13th Alder District - Alder Evers)
Application Type: Demolition Permit
Legistar File ID # [76311](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Curt Roeming; 429 N Patterson St; Madison, WI 53703

Requested Action: Approval of a demolition permit for a single-family residence and commercial building at 1521-1525 Gilson Street.

Proposal Summary: The applicant proposes to demolish a single-family residence at 1525 Gilson Street and a commercial building at 1521 Gilson Street. Upon demolition, the applicant intends to construct a new commercial building, which is a permitted use and not before the Plan Commission.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO 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 request to demolish a single-family residence and commercial building at 1521-1525 Gilson Street. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The site, which totals 13,950 square feet (0.32 acres), is located on the east side of Gilson Street between Beld Street and Pine Street. It is located within Alder District 13 (Alder Evers) and the Madison Metropolitan School District.

Existing Conditions and Land Use: 1521 Gilson Street is developed with a one-story, 1,530-square-foot commercial building built in 1969. 1525 Gilson Street is developed with a one-and-one-half-story, 938-square-foot single-family residence built in 1895. Both lots are zoned Traditional Employment (TE) District.

Surrounding Land Use and Zoning:

North: Vacant lots and a one-story commercial building zoned TE (Traditional Employment district);

East: Across a Wisconsin & Southern railroad track, a towing and auto salvage yard with shop zoned TE;

South: One-story commercial building and warehouse zoned TE; and

West: Across Gilson Street, Single-family residences zoned TE.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Medium Residential (MR) for the subject site. The [South Madison Neighborhood Plan](#) (2005) recommends Medium Density Residential uses. The [Bay Creek Neighborhood Plan](#) (1991) recommends Community Commercial uses.

Zoning Summary: The property is in the Traditional Employment (TE) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	>6,000 sq. ft.
Lot Width	50'	100'
Front Yard Setback	0' or 5'	TBD
Max. Front Yard Setback: TOD	20'	TBD
Side Yard Setback	None unless needed for access	TBD
Rear Yard Setback	Lesser of 20% lot depth or 20'	TBD
Maximum Lot Coverage	85%	TBD
Minimum Building Height: TOD	2 stories	TBD
Maximum Building Height	5 stories/68'	TBD

Other Critical Zoning Items	Utility Easements, TOD overlay
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Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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, Project Analysis, and Conclusion

The owner applicant is requesting approval to demolish a one-story commercial building at 1521 Gilson Street and a one-and-one-half-story single-family residence at 1525 Gilson Street. According to the [demolition photos](#) and letter of intent provided by the applicant, the commercial building appears to be older, but without significant issues, while the residence has peeling paint, rotted wood and siding, and water in the basement. Planning Division staff is not aware of any significant structural issues with either building and has not inspected either building. Following demolition, the applicant intends to construct a new larger commercial building across both lots, a permitted use in this zoning district. This future use is not before the Plan Commission. The applicant intends to begin demolition in summer 2023.

Compliance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Medium Residential (MR) for the subject site. MR areas include a variety of relatively intense housing types, including rowhouses, small multifamily buildings, and large multifamily buildings at heights of up to five stories. The [South Madison Neighborhood Plan](#) (2005) recommends Medium Density Residential uses and a transition from manufacturing uses to single- and multi-family housing uses. The [Bay Creek Neighborhood Plan](#) (1991) recommends this location for "Community Commercial" uses such as "medical services, business services, and retail establishments that serve a large portion of the city's residents with a wide range of goods and services."

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the seven approval standards

in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison.

The Planning Division believes that the standards for Demolition Permits can be met, but provides the following comments regarding standard 4, *"That the Plan Commission has received and considered the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission."* At its February 6, 2023 meeting, the Landmarks Commission found that the existing buildings at 1521 and 1525 Gilson Street have no known historic value. However, the properties are located within the boundary of the Wingra Creek Burials mound grouping and the Landmarks Commission found the human burial site does have historic significance. Any ground-disturbing activities will need to secure a Request to Disturb approval from the Wisconsin Historical Society and the applicant should notify the Ho-Chunk National Tribal Historic Preservation Officer.

Planning Division staff believe all other standards of approval can be met or are not applicable to this request.

At the time of report writing, staff is not aware of public comment regarding this proposal.

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 a single-family residence and commercial building at 1521-1525 Gilson Street. 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 Colin Punt, 243-0455)

1. Prior to any ground disturbing activities, notify the Ho-Chunk National Tribal Historic Preservation Officer, and secure Request to Disturb approval from the Wisconsin Historical Society.

Zoning (Contact Jenny Kirchgatter, 266-4429)

2. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.
3. Following approval of the demolition, a permitted use site plan review will be required for the proposed redevelopment project.

Engineering Division (Tim Troester, 267-1995)

4. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20ft, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement. (POLICY)
5. Close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
6. Obtain a permit to Excavate in the Right-of-Way for the connection and/or installation of utilities required to serve this project and shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO 10.05(6)), MGO 35.02(4)(c)(2)), and MGO 37.05(7)
7. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
8. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
9. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
10. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
11. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
12. The area adjacent to this development is subject to backwater flooding from Lake Monona. Minimum entrance elevations for ramps to underground parking and to entrances to buildings shall be set at elevation 852.00. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
13. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online

at <https://dnr.wi.gov/topic/stormwater/publications.html>

14. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10-year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

15. 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 ttroester@cityofmadison.com (West).

Engineering Division – Mapping Section (Jeff Quamme, 266-4097)

16. Provide actual Demolition Plan detailing existing features that are to be removed, and to remain. If site is to be left in an interim condition state what that condition will be as proposed site plan has not yet been approved.

17. Remove all references regarding the address of 1529 Gilson St. That address is not part of this LNDUSE.

Traffic Engineering Division (Sean Malloy, 266-5987)

18. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

Fire Department (Contact William Sullivan, 261-9658)

19. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Jeff Larson at jtlarson@cityofmadison.com or (608)

2665946.

Forestry Section (Contact Brandon Sly, 220-0637)

20. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
21. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
22. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
23. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
24. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
25. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
26. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.

Water Utility (Contact Jeff Belshaw, 261-9835)

27. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 2664654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. 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.

Items not directly related to the demolition permit are reference items for future permitted use site plan review

The Parks Division and Metro Transit have reviewed this request and have recommended no conditions of approval.