



## Report to the Plan Commission

June 4, 2012

**Legistar I.D. #26513**  
**704-736 University Avenue**  
**Demolition Permit**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

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**Requested Action:** Approval of a demolition permit to allow five commercial buildings located at 704-736 University Avenue to be demolished to accommodate future redevelopment by the University of Wisconsin–Madison.

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

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the demolition permit standards met and **approve** the demolition of five commercial buildings at 704-736 University Avenue to accommodate future redevelopment by the University of Wisconsin–Madison, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

### Background Information

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**Applicant & Property Owner:** University of Wisconsin–Madison, c/o Gary Brown, University Facility Planning & Management; 610 Walnut Street; Madison.

**Proposal:** The University of Wisconsin–Madison is requesting approval to raze five commercial buildings that extend along the north side of University Avenue between N. Lake Street and Fitch Court. The University has identified the subject site and adjacent surface parking lot for its future Music Performance Facility, which is anticipated to begin construction in 2014. Demolition of the existing structures will commence and be completed this fall.

**Parcel Location:** An approximately 0.43-acre parcel located at the northwestern corner of University Avenue and N. Lake Street; Aldermanic District 8 (Resnick); Madison Metropolitan School District.

**Existing Conditions:** Four two-story commercial buildings and one single-story commercial building, zoned C2 (General Commercial District).

#### **Surrounding Land Use and Zoning:**

North: UW Extension Building and Lot 3 parking lot, zoned R6 (General Residence District);

South: University Square (Lucky Apartments, Madison Fresh market, etc.), zoned PUD-SIP;

West: Fitch Court, Chazen Museum of Art, zoned R6;

East: The Varsity Apartments, Choles Floral, Associated Bank, zoned PUD-SIP; State Street-Campus parking ramp, zoned C2 (General Commercial District).

**Adopted Land Use Plan:** The Comprehensive Plan identifies the subject site and surrounding properties as part of the University of Wisconsin–Madison Campus. The Campus land use designation recognizes the “wide diversity of uses associated with the primary education mission” of institutions such as the University, including the envisioned future Music Performance Facility.

**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.

**Zoning Summary:** Existing C2 (General Residence District) zoning:

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	18,859 sq. ft.
Lot Width	50'	Adequate, existing
Usable open space	N/A	---
Front Yard	0'	Adequate
Side Yards	0'	Adequate
Rear Yard	10'	Adequate
Floor Area Ratio	3.0	To be determined w/ future project
No. Parking Stalls	N/A (Central Area)	To be determined w/ future project
No. Bike Parking Stalls	University: 1 per 4 employees and 1 per 4 students	To be determined w/ future project
<b>Other Critical Zoning Items</b>		
Yes:	Utility Easements, Barrier Free	
No:	Urban Design, Landmark, Adjacent to Park, Wellhead Protection, Floodplain, Waterfront Dev.	
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

## Project Review

The University of Wisconsin–Madison is requesting approval to raze five commercial buildings located on a 0.43-acre site located on the north side of University Avenue between N. Lake Street and Fitch Court. No new construction is proposed at this time. The University instead proposes to maintain the subject site as a seeded lawn that will extend between the University Avenue sidewalk and the University’s existing Lot 3 parking lot, which extends from the rear walls of the subject buildings north to the UW Extension Building at 432 N. Lake Street.

The site of the five buildings has been identified by the University as part of the future home of the School of Music Performance Facility, which will occupy both the subject site and a portion of the adjacent parking lot. The University indicates that fundraising for the new performance facility is ongoing, with design of the facility scheduled to occur in 2013. The University anticipates beginning construction of the facility in 2014 following the granting of the necessary zoning approvals by the City. The University’s Master Plan calls for the long-term demolition of the UW Extension Building to accommodate the construction of the second phase of the School of Music development, which will include an academic building directly north of the future performance facility. [No timeline has been established for the demolition of the Extension Building or construction of the Music Academic Building, and no approvals for that project are being requested at this time.]

The five buildings proposed for demolition with the subject request include a two-story building situated on two parcels addressed as 704 and 714 University Avenue. Until recently, the eastern half of the structure was occupied by Brother’s Bar & Grill. The buildings were built in 1899 and have housed a number of commercial tenants, most notably the Tiedeman Drug Store. Amy Scanlon, the City’s

Preservation Planner, indicates that the 704 and 714 buildings were designed by noted local architects Claude and Starck and that they represent a relatively intact Queen Anne-style building noted for its second-story bay windows, including two rounded, oriel bay windows on the two building corners overlooking N. Lake Street.

Moving west, the third building to be razed is 720 University Avenue, which is a two-story structure located at the center of the site's University Avenue frontage. The building was constructed in 1897, with additions and alterations built in 1911 and 1926 according to available records. The fourth building is addressed as 728 University and is a one-story structure formed by a roof and front and rear walls attached to the western wall of 720 University and the eastern wall of the westernmost building to be demolished, 736 University Avenue. Built in 1911, 728 University is believed to be the narrowest commercial building in Madison at 6.5 feet in width according to Ms. Scanlon. The westernmost and final building at 736 University is a two-story, two-part structure constructed circa 1900 that is joined by a false front wall. All of the two-story buildings have nondescript rear walls that feature a wooden catwalk that extends along the second floor of the structures.

Ms. Scanlon indicates that the three buildings at 720, 728 and 736 University are undistinguished in design and have no historic value with the possible exception of the narrow building at 728 University. At its meeting on February 27, 2012, the Landmarks Commission discussed the proposed demolition of the subject buildings. During that discussion, the Landmarks Commission indicated that some of the buildings have historic value, most notably 704-714 University Avenue building due to its connection to Claude and Starck. The Landmarks Commission noted its general concern about the continued loss of historic building stock and requests that the design team for the replacement building(s) strive to create future landmarks.

The University indicates that it is seeking the demolition approval for these five buildings at the present time because it feels they represent a public safety risk due to their "current condition" and the threat of "break-in and vandalism". The University also feels that the removal of these buildings represents "tangible proof the [future performance facility] is moving forward", which will aide in the fundraising for the new project.

## **Analysis & Evaluation**

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This is the second time in as many Plan Commission meetings that the University has presented a request to demolish existing structures in advance of having definitive plans for the permanent future use of the subject properties. The Commission voted 5-3 at its May 21, 2012 meeting to approve a demolition permit and conditional use for 925-933 W. Johnson Street to allow the University to raze two residential buildings to allow construction of an expanded surface parking lot. In that case, the University represented that the subject site and other properties on the 900-block of W. Johnson Street and W. Dayton Street were slated for the future development of an academic building or buildings on that block. However, there is no timeline for those future building projects, and the University still needs to acquire 11 other properties on that block before it can proceed with a redevelopment project.

In the case of the 925-933 W. Johnson Street application, Planning Division staff expressed concerns about the demolition and the proposed interim use of that site as a surface parking lot, citing in particular, the lack of a timeline for the construction of new buildings on the site and larger block and the loss of the residences, which staff indicated have a strong presence on W. Johnson Street that upon their removal, would create a void on a prominent block on a major thoroughfare through campus.

Planning staff is similarly concerned about the proposed demolition of the five buildings on the subject site, which staff believes will create a void at a very prominent and otherwise intensively developed Downtown intersection. While staff is generally supportive of the future development of a performance facility for the School of Music at the northwestern corner of University Avenue and N. Lake Street and believes that the existing buildings may be able to meet the standards of approval for demolition permits, the interim use of the site following demolition is decidedly underwhelming. The greenspace that will be created once the buildings are removed will allow an existing surface parking lot to become highly visible from University Avenue until such time as the University is prepared to proceed with the Music Performance Facility, which is scheduled to be designed in 2013 for construction in 2014. No landscaping is proposed for the proposed interim greenspace, though staff does not believe that even a significant landscaping plan will sufficiently screen the adjacent parking lot in the same fashion as the current buildings.

However, the Planning Division acknowledges that, unlike in the case of 925-933 W. Johnson Street, the University has identified a proposed future use of the property and a timeline for its implementation, and is currently in the process of raising the funds needed to construct the new Music Performance Facility. The University has a strong track record in recent years of following through on projects of every scale and scope once they commence, and staff believes that there is a high degree of commitment to building the performance facility once the funds have been raised. Further, because the subject site stands as the easternmost gateway to the University campus along one of the City's most important corridors, it is in both the University's and City's mutual interest to see the subject site redeveloped with a project befitting the location in as expeditious a fashion as possible.

At such time as the University proceeds with development of the new Music Performance Facility, it will need to work closely with City staff to address various transportation-related needs at the intersection of University Avenue and N. Lake Street. In 2009 the City approved a Transportation Access Master Plan by the University to guide future development of the 700- and 800-blocks of University Avenue and State Street and the 400-blocks of N. Lake Street and East Campus Mall. That plan (attached) conceptually calls for Fitch Court to be terminated as a through alley and partially vacated north of University Avenue as part of the future construction of the music performance facility and adjacent music education facility on the portion of the 700-block of University Avenue currently occupied by the subject buildings and the UW Extension Building, respectively.

As part of the implementation of these projects, the University proposes to replace Fitch Court access to the properties in this block with a new access from N. Lake Street where the Extension Building is currently located. The ultimate solution for replacing Fitch Court with the new N. Lake Street block-wide access calls for a two-way public court to extend into the block from N. Lake Street. However, an interim solution that uses a one-way loop that begins at N. Lake using the existing driveway between the UW Extension Building and University Bookstore/ Calvary Student Center, existing Fitch Court, and returns to N. Lake Street through Lot 3 to provide access to the various University and non-University uses located in this block while the southeastern quadrant of the block is redeveloped in phases.

Additionally, construction of the new performance facility may require the dedication of right of way for N. Lake Street by the University to accommodate two through travel lanes in each direction on N. Lake and a dedicated right-turn lane from southbound N. Lake onto University Avenue. Those transportation improvements are being sought by the Traffic Engineering Division and are conceptually shown on the Transportation Access Master Plan. The creation of a well-designed and highly functional pedestrian environment, particularly along N. Lake Street, will also be a key component of the review of the future redevelopment. The right of way dedication and transportation improvements needed to accommodate the new University facilities on this site will require careful coordination between the University and City

as part of the subsequent land use approvals needed before construction of the new performance facility commences.

## **Conclusion**

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In closing, the Plan Commission will need to determine if the proposal to demolish the five subject buildings can meet the standards of approval for demolition permits despite the lack of immediate plans for the proposed use of the site. Staff believes that the five buildings can be found to meet the standards for demolitions but is concerned that the interim use of the site as a greenspace between University Avenue and the University's Lot 3 parking lot will create an unattractive condition at a very prominent and densely developed Downtown intersection until the University is prepared to proceed with its new building. Staff does not believe that a screening plan for the site can be developed that would sufficiently conceal the surface parking lot adjacent to the north in the same fashion as the existing buildings.

However, the University believes that the existing buildings represent an attractive nuisance and a public safety risk and wishes to remove the buildings in the near term versus waiting until they have more detailed redevelopment plans. Unlike in another recent demolition application, the University has identified a proposed future use of the property and a timeline for its implementation, and is currently in the process of raising the funds needed to construct the new Music Performance Facility. Because the subject site stands as the easternmost gateway to the University campus along one of the City's most important thoroughfares, it is in both the University's and City's mutual interest to see the subject site redeveloped with a project befitting the location in as expeditious a fashion as possible. To this end, staff believes that it can support this demolition permit request despite the likely unattractive interim condition of the site that will result until new construction commences in the next few years.

## **Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

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### **Planning Division Recommendation** (Contact Timothy M. Parks, 261-9632)

The Planning Division believes that the Plan Commission can find the standards for demolition permits met and **approve** the demolition of five commercial buildings located at 704-736 University Avenue to accommodate future redevelopment by the University of Wisconsin–Madison, subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

1. Note: The University and the City shall work together on the review, approval, and recording of a Certified Survey Map for the subject site if a CSM is determined to be necessary for the future building(s) to comply with Building Code requirements for constructing across platted lot lines.

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

2. This application is only for demolition for future development. Informational Note: At some point prior to the future redevelopment, if any proposed new building(s) will cross any underlying platted lot lines, the University shall submit a Certified Survey Map to the City for review, approval and recording to legally dissolve those underlying lot lines for conformance with current building codes.

3. The City is investigating abandoning the existing sanitary sewer and water main within Fitch Court in the future. When the future development is proposed the designs should be based on receiving sewer and water from N. Lake Street or University Avenue rather than Fitch Court.
4. Records indicate the building at the corner of N. Lake Street and University Avenue has two 6-inch cast iron storm sewer connections. These shall be properly abandoned under a sewer plugging permit.
5. The applicant shall replace all sidewalk and curb and gutter that abuts the property, which is damaged by the construction or any sidewalk and curb and gutter that 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.
6. 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 7.5-tons per acre per year.
7. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances 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 Chapter 37 of MGO.
8. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal
9. Prior to final approval of the demolition permit application, the owner shall obtain a permit to plug each existing sanitary and or storm 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.

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

10. Note: In future phases of this project and as noted in the approved Transportation Access Master Plan for the 700 and 800-blocks of University Avenue and 400-blocks of N. Lake Street and East Campus Mall, land shall be dedicated on N. Lake Street to accommodate intersection improvements at the University Avenue intersection.

11. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
12. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

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

13. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance 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.
14. Future development shall meet applicable building and zoning ordinances following applicable processes. As the result of no application for the proposed use, the site shall be landscaped and seeded to minimize erosion.
15. Remove existing driveway and close street entrance(s) as per City Engineering Division and Traffic Engineering Division requirements.
16. Combine the parcels to make one lot via a Certified Survey Map before a future use is proposed. A property line cannot go through a building without a fire wall down the lot line pursuant to Section 705.1.1 of the International Building Code. The CSM shall be approved before signoff of final plans for this project.

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

This agency did not submit conditions of approval for this request.

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

Note: Please consider allowing the Madison Fire Department to conduct training sequences in the buildings prior to demolition. Please contact the MFD Training Division at 246-4587 to discuss this possibility.

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

17. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

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

This agency did not submit comments for this request.