



Report to the Plan Commission

November 7, 2011

Legistar I.D. #24334
203 N. Charter Street
Demolition Permit & Conditional Use

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

Requested Action: Approval of a demolition permit and conditional use to allow a rooming house at 203 N. Charter Street to be demolished to accommodate construction of an electrical substation for the University of Wisconsin–Madison.

Applicable Regulations & Standards: Section 28.08(6)(c) identifies colleges and universities as conditional uses in the R5 General Residence District. Public utility and public service uses, including electrical substations, are first identified as conditional uses in the R1 Single-Family Residence District and telescope through the residential zoning districts, including R5. Section 28.12(11) provides the guidelines and regulations for the approval of conditional uses. 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 and conditional use standards met and **approve** the demolition of a rooming house and construction of an electrical substation for the University of Wisconsin–Madison at 203 N. Charter Street, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Applicant & Property Owner: University of Wisconsin–Madison, c/o Gary Brown, University Facility Planning & Management; 614 Walnut Street; Madison.

Proposal: The University of Wisconsin–Madison is requesting approval to raze a two-story rooming house to allow a prefabricated 1,200 square-foot electrical switchgear building associated with the nearby Charter Street Heating Plant to be constructed on the property. The substation project will commence in January 2012, with completion anticipated in September 2012. The renovation and expansion of the Charter Street Heating Plant located across W. Dayton Street from the site commenced in 2010 and is ongoing.

Parcel Location: A 0.2-acre parcel located at the northeastern corner of N. Charter and W. Dayton streets; Aldermanic District 8 (Resnick); Madison Metropolitan School District.

Existing Conditions: A two-story rooming house, zoned R5 (General Residence District).

Surrounding Land Use and Zoning:

North: Wisconsin Southern Railroad right of way; UW Zoology Research Building, zoned R5 (General Residence District);

South: Charter Street Heating Plant, zoned PUD-SIP; UW Weeks Hall for Geological Sciences, zoned R5;

West: Six-story mixed-use building with first floor retail uses and 25 apartment units, zoned PUD-SIP;

East: (Across railroad, on N. Mills Street) Noland Zoology Building, zoned R5.

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 UW, which includes campus-supporting facilities such as the adjacent Charter Street Heating Plant and the proposed electrical substation.

The Regent Street–South Campus Neighborhood Plan identifies the Charter Street Heating Plant site across W. Dayton Street in the “University Support Services” category, which includes physical support facilities for the UW campus, including the physical plant and heating and cooling plant. The subject site, however, is identified as Park/ Open Space on the “Future Land Use” map (3.7, page 3-14).

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 R5 (General Residence District) zoning:

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	8,935 sq. ft.
Lot Width	50'	Adequate, existing
Usable open space	N/A	---
Front Yard	0'	Adequate
Side Yards	0'	Adequate
Rear Yard	10'	Adequate
Building Height	3 stories & 40 feet	1 story
No. Parking Stalls	N/A	---
Other Critical Zoning Items		
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 demolish a two-story rooming house located on a triangularly shaped 0.2-acre parcel at the northeastern corner of N. Charter and W. Dayton streets to allow construction of a prefabricated electrical substation housing switchgear that will be associated with the Charter Street Heating Plant. The construction of the substation was anticipated as part of the Planned Unit Development zoning approved in 2010 for the renovation and expansion of the heating plant, which is located directly south of the subject site across W. Dayton Street, though the land use approvals for the substation were not granted as part of the heating plant PUD. The subject parcel will remain zoned R5 (General Residence District), which allows public utility and public service uses including electrical substations as conditional uses. Colleges and universities are also identified as conditional uses in the R5 district.

The rooming house to be razed contains 10 units and occupied basement space and was constructed in 1960 according to City records. The building includes a wood and brick exterior and a hip roof. Most of the building is surrounded by gravel, which is primarily used for bicycle and moped parking for the rooming house and other nearby properties.

The proposed 15-kilovolt electrical switchgear building will be a 50-foot long and 24-foot wide steel box that will stand 12 feet in height and be placed over a concrete basement and cable vault. The new one-story building will generally parallel the northerly property line and railroad right of way, with access to the facility to be provided by an existing driveway located at the northwesterly corner of the property. The substation will be connected to the heating plant by underground ducts that extend east and then south from the building in the area where two rail spurs used to cross W. Dayton Street at grade until their recent removal.

Portions of the western, eastern and southern sides of the 0.2-acre substation site will be enclosed with a 10-foot tall screen wall that will be composed of brick-stamped precast wall panels set between concrete pilasters and topped with a precast cornice. The northern edge of the site will be enclosed with a 10-foot tall decorative steel fence. Sections of the decorative steel fence material will be used to break up the precast screen wall on the three other sides, which the letter of intent suggests is intended to create views into the site. A raised planter constructed of the same precast screen wall materials is proposed for the N. Charter Street–W. Dayton Street corner. The area between the sidewalk and screen walls will primarily be landscaped with native grasses and perennials. Shade trees will be planted between the east wall of the substation enclosure and the railroad crossing, and in the raised planter at the southwestern corner of the site, which will also be planted with fragrant sumac. Two “Kim”-style pedestrian light fixtures will be installed along the southern edge of the site adjacent to the W. Dayton Street sidewalk in an effort to promote good nighttime visibility along that street edge. An existing City streetlight located on the east side of N. Charter Street adjacent to the western edge of the site will remain to provide lighting for pedestrians along that frontage of the site.

Analysis & Conclusion

The subject site is located within the boundaries of the Regent Street–South Campus Neighborhood Plan (RSSCNP), which was adopted to provide more detailed neighborhood-level planning for the area of the City roughly bounded by Monroe Street and N. Randall Avenue on the west, W. Johnson Street on the north, East Campus Mall on the east and the south side of Regent Street on the south. The RSSCNP recommends the subject site for Park/ Open Space uses as one of a handful of small, triangularly shaped “pocket parks” formed by how the Wisconsin Southern Railroad and Southwest Path traverse diagonally through this neighborhood. The creation of pocket parks on these sites was envisioned in the neighborhood plan as an opportunity to provide open space in an area where there is currently a dearth of public open space and obstacles to establishing new public greenspace. The Park/ Open Space recommendation follows the identification of these sites for greenspace uses in the University’s 2005 Master Plan, which was not adopted by the City.

To the south of the subject site, the Charter Street Heating Plant is recommended in the RSSCNP as part of the “University Support Services” category. The “University Support Services” category includes physical support facilities for the UW campus, including the physical plant, heating and cooling plant, and electrical substations. Other sites recommended for development in the “University Support Services” category near the subject site include University-owned lands south of the heating plant, Southwest Path and Spring Street, where the University’s Fleet Services garage and new Physical Plant Shops are located, and on a triangular parcel east of the plant across N. Mills Street, which was

originally envisioned for a biomass storage and handling facility for the plant when it was planned to burn biomass fuel. Plans for the biomass storage and handling site were amended earlier this year to call for an interim University surface automobile and bus parking lot.

The proposed location of the electrical substation north of the plant on the subject site affords for a high degree of operational efficiency due to the location of the heating plant's boilers and generating turbine along the northern wall of the plant just to the south. The biomass storage and handling site across N. Mills was ruled out in part due to the University's previously stated desire to reserve that site should the burning of biomass fuel be reintroduced into the program for the heating plant in the future.

Despite the deviation from the land use recommended for the subject site in the Regent Street–South Campus Neighborhood Plan, the Planning Division believes that the proposed demolition of the rooming house and construction of the electrical substation can meet the standards of approval for demolition permits and conditional uses.

Staff believes that the University has done a good job of integrating the proposed substation into its surroundings, which includes a number of University-related academic buildings and a private mixed-use building. While the substation is not a park or open space use as recommended by the neighborhood plan, staff believes that the use of the site for a substation related to the adjacent heating plant represents a logical extension of the "University Support Services" category, which applies to the plant. The design of the substation site, including its screening and landscaping, also provides limited opportunities for passive open space, particularly on the eastern third of the site, where grass and shade trees are proposed between the railroad and eastern wall of the substation enclosure. Kay Rutledge of the Parks Division reviewed the proposal and offered the following comment on the project:

"There is a need for public open space in this area and opportunities to preserve or provide open space should be pursued. Parks staff supports the eastern third of the site remaining as a passive open space."

Otherwise, Planning staff believes that the substation should have little or no impact on the uses, values and enjoyment, or the normal and orderly development of surrounding properties. The University has indicated verbally to staff that any noise generated by the switchgear will be minimal and would likely be less than the ambient noise generated by the heating plant.

The City's Preservation Planner has no concerns with the demolition of the existing rooming house, and the Landmarks Commission informally reviewed the proposed demolition and had no comment. A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to commencement of the project.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

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

The Planning Division believes that the Plan Commission can find the standards for demolition permits and conditional uses met and **approve** the demolition of a rooming house and construction of an electrical substation for the University of Wisconsin–Madison at 203 N. Charter Street, subject to input at the public hearing and the conditions from reviewing agencies:

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

1. Non-standard right of way improvements shall require a maintenance agreement, which shall be completed prior to approval of any permits related to this project.
2. Work in the right of way shall be completed under a permit to excavate in the right of way. The applicant shall provide the City with a copy of the project bond as part of the permit. Additional deposits may also be required.
3. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
4. 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.
5. All work in the public right of way shall be performed by a City-licensed contractor.
6. All damage to the pavement on N. Charter Street and W. Dayton Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
7. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the Parks Division dkahl@cityofmadison.com or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
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. 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 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)

This agency submitted a response with no conditions of approval for this request.

Zoning Administrator (Contact Pat Anderson, 266-5978)

10. 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.
11. If outdoor lighting is provided, it must comply with MGO Sec. 10.085, Outdoor Lighting Standards.
12. Combine the parcels to make one lot via a Certified Survey Map. 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)

The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Water Utility (Contact Dennis Cawley, 261-9243)

13. 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.