



PREPARED FOR THE PLAN COMMISSION

Project Address: 1128 E Washington Avenue
Application Type: Demolition Permit
Legistar File ID # [68440](#)
Prepared By: Tim Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant: Melissa Huggins, Urban Assets; 807 E Johnson Street; Madison.

Contact Person: Tim Crum, Strang Architects; 811 E Washington Ave, Suite 200; Madison

Property Owner: Bridget Fraser, WYSO Center for Music; 17 Applegate Court, Suite 10; Madison.

Requested Action: Approval of a demolition permit for 1128 E Washington Avenue to allow a restaurant-tavern to be demolished.

Proposal Summary: The applicants are requesting approval of a demolition permit to raze the one-story former “Avenue Bar” restaurant tavern to allow the subject site to be redeveloped as a three-story, approximately 40,000 square-foot arts school for the Wisconsin Youth Symphony Orchestra. The application indicates that the project will commence in spring 2022, with completion in spring 2023.

Applicable Regulations & Standards: Section 28.185 provides the process and standards for the approval of demolition and removal permits. The subject site is located in Urban Design District 8, which requires separate Urban Design Commission approval using the standards and guidelines in Section 33.24(15).

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow the restaurant-tavern at 1128 E Washington Avenue to be demolished, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Parcel Location: An approximately 0.68-acre (29,700 square feet) parcel located on the northerly side of E Washington Avenue, approximately 200 east of N Ingersoll Street; Alder District 6 (Benford); Urban Design Dist. 8; Madison Metropolitan School District.

Existing Conditions and Land Use: A one-story restaurant-tavern, zoned CC-T (Commercial Corridor–Transitional District).

Surrounding Land Use and Zoning:

North: Single- two-, and multi-family residences across Curtis Court, zoned TR-V1 (Traditional Residential–Varied 1 District);

South: Metro Transit administrative offices and garage across E Washington Avenue, zoned TE (Traditional Employment District);

East: Avis/Budget Auto Rental, zoned PD; surface parking lot and single-family residences, zoned CC-T (Commercial Corridor–Transitional District);

West: Along N Ingersoll Street, Jiffy Lube, one-story commercial building, and two-family residence, zoned CC-T.

Adopted Land Use Plans: The 2018 [Comprehensive Plan](#) recommends the subject site and the E Washington Avenue frontage of the 1100-block for Community Mixed-Use (CMU), with the properties across Curtis Court recommended for Low-Medium Residential (LMR).

The 2008 [Tenney-Lapham Neighborhood Plan](#) identifies the E Washington Avenue frontage of the 1100-block for Community Mixed-Use, while the land to the north across Curtis Court is recommended for Medium-Density Residential up to 25 units per acre. New construction along E Washington is recommended not to exceed three stories.

The recommendations in the 2008 [East Washington Avenue Capitol Gateway Corridor Plan](#) mirror the recommendations for the block in the Tenney-Lapham Neighborhood Plan, with Community Mixed-Use identified for the site, with new development recommended not to exceed three stories and to be scaled to be compatible with the development on the north side of Curtis Court. The Plan includes specific recommendations for height, building placement, and design, which have been codified in MGO Section 33.24(15) as Urban Design District 8.

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

Public Utilities and Services: The subject site is served by a full range of urban services, including seven-day Metro Transit service along E Washington Avenue.

Project Description, Analysis and Conclusion

The applicants are requesting approval from the Plan Commission to demolish a one-story, approximately 8,600 square-foot former “Avenue Bar” restaurant-tavern, which occupies a 0.68-acre parcel located 200 feet east of N Ingersoll Street on the northerly side of E Washington Avenue. The parcel is a through-lot that also has 198 feet of frontage along Curtis Court, a narrow through street that extends between Ingersoll and Few Streets and is developed with one- and two-story residences on its north side. The building includes 6,348 square feet of floor area on the first floor and a 2,250 square-foot basement. Surface parking is located adjacent to both side walls of the building, with driveways from both E Washington and Curtis. Following demolition, the parcel is proposed for redevelopment with a new three-story, approximately 40,000 square-foot teaching and rehearsal space for Wisconsin Youth Symphony Orchestra. Photos of the building are attached to File ID [68440](#), as are plans for the proposed future use.

The above information on the use of the subject site following the proposed demolition and the project plans included with the application materials for this request are provided for informational purposes. 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 factors and information specified in Section 28.185(9)(c) and find 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 standards state that the Plan Commission shall consider 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 October 4, 2021 meeting, the Landmarks Commission found that the existing building has no known historic value "because of the lack of available information," but that it contributes to Madison's vernacular landscape. The Planning Division has no information to suggest that the proposed demolition would not meet the standards of approval for demolition permits in Section 28.185(9)(c) as amended on October 5, 2021 and recommends that the demolition be approved. At time of writing this report, staff is unaware of any written comments from the public regarding the proposed demolition.

In approving a demolition permit under the recently revised standards and process, the Plan Commission may stipulate conditions and restrictions on the proposed building demolition as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards of approval. The conditions in the following section appear to relate to the requested demolition.

The future arts school is a permitted use, which is required to obtain site plan approval per Section 28.186 of the Zoning Code prior to the issuance of building permits. In addition, the site is located in Urban Design Dist. 8, which requires Urban Design Commission approval per MGO Section 33.24 before construction of the new building proceeds. The UDC granted initial approval to the plans for the new facility at its December 15, 2021 meeting.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow a restaurant-tavern at 1128 E Washington Avenue to be demolished, subject to input at the public hearing and the following conditions:

Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Tim Troester, (608) 267-1995)

1. 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.
2. An Erosion Control Permit is required for this project.
3. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
4. Demonstrate compliance with Sections 37.07 and 37.08 of 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.

5. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.

City Engineering Division–Mapping Section (Contact Jeff Quamme, (608) 266-4097)

This agency has reviewed this request and recommended no conditions of approval for the proposed demolition.

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

This agency has reviewed this request and recommended no conditions of approval.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

6. Section 28.185(9) requires that if a demolition or removal permit is approved, it shall not be issued until a reuse and recycling plan is approved by the Recycling Coordinator. 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. Per Section 28.185(9)(a), a demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
7. Following approval of the demolition, a permitted use site plan review will be required for the proposed arts school.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

8. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact Division Chief Jeff Larson of the MFD Training Division to discuss this possibility at jtlarson@cityofmadison.com or (608) 266-5946.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

9. 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.
10. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days' notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter, establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

This agency has reviewed this request and recommended no conditions of approval.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

This agency has reviewed this request and recommended no conditions of approval.

City Forestry Section (Contact Jeffrey Heinecke, (608) 266-4890)

11. The 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 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
12. 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 (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 plan set.
13. 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 the plan set.
14. Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
15. Section 107.13(g) of *City of Madison Standard Specifications for Public Works Construction* 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 the plan set.
16. 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 whose district is affected by the street tree removal(s) prior to a treeremoval permit being issued. Add as a note on the plan set.
17. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. 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.
18. The developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.