



PREPARED FOR THE PLAN COMMISSION

Project Address: 3533 Furey Avenue
Application Type: Demolition Permit
Legistar File ID # [47302](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: City of Madison; representative: Randy Wiesner, City Engineering Division.

Requested Action: Approval of a demolition permit to demolish an auto repair facility at 3533 Furey Avenue; 15th Ald. Dist. as part of the construction of a regional stormwater management facility and multi-purpose path.

Proposal Summary: The City is requesting approval to remove a one-story, approximately 2,000 square-foot auto repair facility as part of the construction of the Goodman Path and a stormwater pond on the larger site. Demolition will commence as soon as all regulatory approvals have been granted, with demolition and site restoration work scheduled to be completed by this fall.

Applicable Regulations & Standards: Section 28.185 provides the process and standards for the approval of demolition and removal permits.

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 demolition of an auto repair facility at 3533 Furey Avenue subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Parcel Location: The subject site is a 2.66-acre parcel located a quarter-mile east of Fair Oaks Avenue on the south side of Commercial Avenue and Highway 30, historically addressed as 513 Jacobson Avenue and 3533 Furey Avenue; Aldermanic District 15 (Ahrens); Madison Metropolitan School District.

Existing Conditions and Land Use: A vacant one-story, approximately 2,000 square-foot auto repair facility in the southwesterly corner of the site, zoned TR-C1 (Traditional Residential–Consistent 1 District). The remainder of the 2.66-acre parcel is undeveloped.

Surrounding Land Use and Zoning:

North: Highway 30;

South: Wisconsin Southern Railroad, undeveloped lands in the Town of Blooming Grove;

West: Single-family residences in the Town of Blooming Grove and in the City of Madison, zoned PD;

East: Wisconsin Southern Railroad and the City’s “Starkweather Uplands,” zoned CN (Conservancy District) and W (Wetland Overlay District).

Adopted Land Use Plan: The Comprehensive Plan recommends that the western half of the subject site and neighboring properties to the west be developed with Low-Density Residential uses. The remainder of the site and the lands to the south and east are recommended for Park and Open Space uses. The site is also located within the boundaries of the forthcoming but not yet adopted Darbo-Worthington-Starkweather Neighborhood Plan.

Zoning Summary: The subject property is zoned TR-C1 (Traditional Residential–Consistent 1 District); no new structures are proposed for the site following demolition.

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

Public Utilities and Services: The site is served by a full range of urban services.

Previous Approvals

On September 21, 2004, the Common Council conditionally approved a request to rezone 513 Jacobson Avenue and 3533 Furey Avenue from C2 (General Commercial District) and C3 (Highway Commercial District) to PUD-GDP (Planned Unit Development, General Development Plan) and PUD-SIP (Planned Unit Development, Specific Implementation Plan) [1966 Zoning Code] and the preliminary plat and a final plat of “Starkweather Square,” creating three single-family lots, four two-family lots and one multi-family lot (31 total dwelling units). The applicants never received final approval of the PUD zoning or subdivision plat before those approvals expired.

The site was downzoned to TR-C1 with the adoption of the 2013 Zoning Code to reflect the low-density residential land uses recommended for most of the site by the Comprehensive Plan.

Project Description, Analysis and Conclusion

On September 2, 2014, the Common Council adopted Resolution 14-00626 (ID [34941](#)), authorizing the execution of a Purchase and Sale Agreement between the City and AnchorBank FSB for the purchase of two lots located at 513 Jacobson Avenue and 3533 Furey Avenue for the future Irwin A. and Robert D. Goodman Path and a stormwater pond. The Plan Commission recommended approval of the acquisition to the Common Council at its August 11, 2014 meeting. Acquisition of the 2.66-acre subject property was completed in December 2014.

The former auto repair garage to be razed is located in the southwesterly corner of the property. The site is generally a flat, triangular-shaped parcel located two blocks east of Fair Oaks Avenue, and is bounded by Highway 30 on the north, the Wisconsin Southern Railroad on the south and east, and by low-density residential uses on the west. The building to be demolished is located on the south side of the Furey Avenue right of way, which ends at the western edge of the site just east of Jacobsen Avenue. The area west of the site is largely developed with single-family residences in the Town of Blooming Grove, while lands south and east of the site are largely undeveloped, with the Voit Farm directly south, and the City’s Starkweather Uplands open space to the east. Photos of the auto repair facility are included with the application materials.

Following demolition of the building and removal of the unimproved parking area that surrounds it, the City Engineering Division plans to construct two sedimentation ponds on the western half of the 2.66-acre parcel, which are intended to remove an estimated 45,000 pounds of sediment and phosphorus from Starkweather Creek each year. Additionally, a portion of the site will be used for the planned Goodman Path, a quarter-mile long paved multi-use path that will begin at the intersection of Jacobson Avenue and Webb Avenue and

continue along the railroad corridor to the existing Marsh View Path at Highway 30 to provide an off-street bicycle and pedestrian route to connect neighborhoods north and south of Highway 30 and west of Starkweather Creek.

The Planning Division believes that the Plan Commission can find the standards for approval met to allow the vacant former auto repair facility to be demolished to accommodate the proposed regional stormwater management facility and public path. Photos provided by the City Engineering Division suggest an outmoded building in below average condition, which the letter of intent also suggests has been the source of Police Department calls for service. The proposed open space use of the site following demolition should be compatible with the low-density residential uses located to the west of the site, and is consistent with the Park and Open Space uses recommended for the eastern half of the site by the Comprehensive Plan.

The Landmarks Commission informally reviewed the proposed demolition on May 1, 2017 and recommended to the Plan Commission that the building had no known historic value.

Recommendation

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

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow demolition of an auto repair facility at 3533 Furey Avenue subject to input at the public hearing and the following conditions:

City Engineering Division (Contact Brenda Stanley, 261-9127)

1. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm sewer lateral that serves a building that 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.
2. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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.
3. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
4. Based on historical documents (Phase 1 and 2 ESAs), the property contains residual contaminated soil. If contaminated soil is encountered as part of this redevelopment, all WDNR and DSPS regulations must be followed for proper handling and disposal.

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

5. Provide a demolition plan showing all improvements and pavements to be removed and anything to remain. The demolition plan shall include all lot/ownership lines, existing building locations, demolitions, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations.
6. The site plan shall identify lot and block numbers of recorded Certified Survey Map 9494 and of Lots 523-527 of the First Addn. to Clyde A Gallagher Park Subdivision.
7. The site plan shall include a full and complete legal description of the site or property being subjected to this application. See Document No. 5120649.
8. The plan shall show all of the easements that exist per Document No. 1853522. Most notably the 25-foot wide easement to MG&E along the southeasterly side of the property adjacent to the railroad.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

9. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including 2 feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
10. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

11. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, Bryan Johnson (266-4682), prior to a demolition permit being issued. MGO Section 28.185(7)(a)5 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.

Fire Department (Contact Bill Sullivan, 261-9658)

12. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact Capt. Jerry Buechner of the MFD Training Division to discuss this possibility at (608) 516-9195.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

13. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
14. A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR-812 and MGO Section 13.21 prior to the demolition of the property.

Please contact Water Utility staff at (608) 266-4654 for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.

Parks Division (Contact Janet Schmidt, 261-9688)

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

Metro Transit (Contact Tim Sobota, 261-4289)

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