



# Report to the Plan Commission

April 11, 2011

**Legistar I.D. #21605**  
**14 South Franklin Street**  
**Demolition and Rezoning**

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval to demolish a fire-damaged 4-unit building and a rezoning of property from R5 (General Residence District) to PUD-SIP (Planned Unit Development–Specific Implementation Plan) for a new two-unit building.

**Applicable Regulations & Standards:** Section 28.12 (12) of the Zoning Ordinance provides the standards for demolition approval. Section 28.12 (9) provides the process for zoning map amendments. Section 28.07 (6) provides the requirements and criteria for approval of Planned Unit Development Districts.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission finds that the demolition and Planned Unit Development standards can be met and **approve** the request to demolish the existing building and construct a new two-unit building.

## Background Information

**Applicant / Project Contact / Property Owner:** Audric Schieve and Chris Muchka; Progress Investors, LLC; PO Box 108; Madison

**Proposal:** The applicant is requesting approval for a demolition and rezoning of the property from R5 to PUD-SIP to construct a new two-unit building.

**Parcel Location:** 14 South Franklin Street is located on the south side of South Franklin Street between East Washington Avenue and East Main Street; Aldermanic District 6 (Rummel); Madison Metropolitan School District.

**Existing Conditions:** The 2,970 square foot parcel has a fire-damaged, four-unit building and no driveway. The rear yard is currently open space.

**Surrounding Land Use and Zoning:** To the east, west, and south, along this block face and to the rear of this property are single, two, and three-unit buildings in the R5 (General Residence) District. Across South Franklin Street to the north is the Wisconsin Manufacturers and Commerce Building in the C3 (Highway Commercial) District, a two-family home in the R5 District, and an 18-unit multi-family building in the R6 District.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) places this property within the First Settlement-Old Market Place Downtown Residential Subdistrict, where a variety of uses are recommended, and historic preservation is a key issue. The Downtown Plan, currently a working draft, will likely recommend residential uses up to three stories in height for this area.

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

**Public Utilities and Services:** The property is served by a range of urban services, including many Metro Transit routes.

**Zoning Summary:** The property is currently in the in the R5 (General Residence) District.

Requirements	Required*	Proposed
Lot Area	3,200 sq. ft.	2,970 sq. ft. existing
Lot width	50'	33' existing
Usable open space	960 sq. ft.	450 sq. ft.
Front yard	20'	3.5'
Side yards	6' / 15' total for 2-story building	0' RS / 8' LS
Rear yard	30'	23.5'
Building height	3 stories / 40'	2 stories

**Site Design**

No. Parking stalls	2 per unit (0 in central area)	0
Bike Parking	None required in R5	6 stalls proposed
Landscaping	None required in R5	Adequate
Lighting	N/A	N/A

**Other Critical Zoning Items**

Urban Design	Yes - PUD
Historic District	Yes – First Settlement
Landmark Building	No
Floodplain	No
Utility Easements	No
Adjacent to park	No
Barrier free (ILHR 69)	N/A

\*Since this project is being rezoned to the PUD(GDP)(SIP) district, and there are no predetermined bulk requirements, we are reviewing it based on the criteria for the R5 district because of the surrounding land uses.

*Prepared by: Pat Anderson, Asst. Zoning Administrator*

**Project Description**

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Since an October 2010 fire rendered the existing four-unit building unlivable and infeasible for rehabilitation, the applicant proposes to demolish it and build a new two-unit residential building. The existing building was originally constructed in 1879, and Assessor’s records suggest that even before the fire, the building was in relatively poor condition.

The applicant proposes to fully demolish the existing structure and build a new two-unit, 2,000 square foot building with a new narrow driveway to accommodate two off-street automobile parking spaces. The rear yard includes six bicycle parking stalls, a trash enclosure, and garden spaces for the occupants. The driveway proposed has a two-foot wide permeable, planted strip running down the center to minimize the additional impervious surface.

The proposed traditional two-flat building has a 7/12 pitch gabled roof and open front porch, similar to other structures found in the First Settlement Local Historic District. There are three-bedroom units on each floor, providing for a variety of household types. Entrances to the first floor unit are from the front porch and a small stoop on the right side of the home. Entrances to the second floor unit are from the front porch and via a rear stairway which is partially enclosed and protected from precipitation.

Exterior materials include painted cedar siding and trim, white oak shingles, and 256 square feet of solar panels for both hot water and electricity. The applicant has incorporated a rear second floor balcony, strengthened the prominence of the trim materials, and made slight adjustments to windows to accommodate requests by the Urban Design Commission and Landmarks Commission

**Related Approvals**

On February 28, 2011, the Landmarks Commission approved the demolition of the existing structure and granted a Certificate of Appropriateness for the proposed building in the First Settlement Local Historic District with the following recommendations, concurrent with the Landmarks Commission staff report:

1. Please consider moving the window on the front elevation in the lower level off of the corner.
2. Please consider using paired double-hung windows on the side and rear elevations.
3. Please consider reducing the 2’-0” overhang at the front porch to 8” or so.
4. The 5’-0” wide storm window in the upper level of the rear stair enclosure should be changed to look like a paired double hung window, and the cantilevered corner of the upper stair platform should have a decorative bracket and “beam” expressed in the siding detail.

On March 2, 2011, the Urban Design Commission granted **final approval** for the design with the following recommendations:

1. Provide a native plant list (*with the landscape plan*) to return to staff for approval.
2. Consider cutting back the driveway length to reduce the amount of cars stacking beyond two.
3. The applicant has the ability to make changes in response to comments, with staff approval.
4. The applicant should look at the roofline to make sure it is sufficiently detailed, and strong, with a greater dimension. As an example, use miter bolt joints around windows with beefier dimensioned rake board, corner and window trim.

### **Public Input**

The District 6 Alder and the First Settlement Neighborhood Association are supportive of the proposal, and staff is unaware of any opposition at this time.

### **Evaluation and Conclusion**

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The current structure was recently rendered unsalvageable by fire, and the proposed demolition is easy to support. Of the potential options for a new structure on this small lot, staff believes that the applicant has proposed a building that is a vast improvement over the existing structure. The simple two-flat building is consistent with adopted plans, and should fit in well with the First Settlement Local Historic District.

The provision of two off-street automobile parking stalls and six bicycle parking stalls should adequately serve the two-unit building in this central area, which is very well served by transit and within walking distance of most amenities. The garden space in the rear yard, front porch, and rear balcony offer high-quality usable open space in an area where it is often scarce on private property.

Finally, the applicant has carefully worked to address the minor issues raised by the Landmarks Commission and Urban Design Commission in recent plan revisions. Following an approval by the Common Council, the applicant will submit final plans for review by staff serving these commissions to ensure that the changes are sufficient.

It is important to note that the proposed two-unit building would be *permitted* in the R5 district were it not for the small lot on which it sits. On a 2,970 square foot lot, the R5 district would only allow a small single-family home with two to three bedrooms. Thus, a rezoning to the PUD-SIP district is required to build the proposed two-unit building. Staff believes that the criteria for approving planned unit development zoning is met with this proposal, and that the proposed two-unit building will be a welcome addition to the First Settlement Neighborhood.

Planning Division staff recommends that the Plan Commission finds that the demolition and planned unit development standards are met, and **approve** the request subject to input at the public hearing and conditions from reviewing agencies.

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

Major/Non-Standard Conditions are shaded

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#### **Planning Division Recommendation** (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the demolition standards and the criteria for approval of Planned Unit Development zoning can be met and **approve** the request subject to input at the public hearing and the following conditions:

**Planning Division** (Contact Heather Stouder, 266-5874)

1. Final plans shall be reviewed and approved by staff to the Urban Design Commission and Landmarks Commission for consistency with their recommendations.

***The following conditions have been submitted by reviewing agencies:***

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

2. The approved addresses for this site are as follows:  
14 S. Franklin St. – 1<sup>st</sup> Floor apartment  
16 S. Franklin St. – 2<sup>nd</sup> Floor apartment
3. *Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.* The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees (MGO 16.23(9)(d)(6)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
4. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which 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 (POLICY).
5. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).
6. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement (POLICY).
7. Prior to approval of the conditional use 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 (POLICY). This permit application is available on line at: <http://www.cityofmadison.com/engineering/permits.cfm>:

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

8. Provide a reuse/recycling plan to be reviewed and approved by the City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
9. MGO Section 28.12(12)(e) 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.
10. In the Zoning Text, note that signage shall meet requirements per MGO Chapter 31 pre the R5 district and as approved by the Urban Design Commission.

11. Show the addresses of tenant spaces on the building in the final site plan, pursuant to MGO Section 10.34(2). Address information can be obtained from Lori Zenchenko of City Engineering at (608) 266-5952.

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

12. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
13. This property is in a Wellhead Protection District. This use is permitted in the District. Any proposed change in use shall be approved by the Water Utility General Manager or his designated representative.
14. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Fire Department** (Contact Bill Sullivan, 266-4420)

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

NOTE: A residential fire sprinkler system may be installed in accordance with NFPA 13D and Comm 82.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homeforesprinkler.org/Consumer/ConsHome.html>

**Traffic Engineering Division** (Contact John Leach, 267-8755)

This agency submitted a report with no comments or conditions for this proposal.

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

This agency did not submit a response for this request.

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

This agency did not submit a response for this request.