



Report to the Plan Commission

April 9, 2012

Legistar ID #25766

214 South Marquette Street

Demolition Permit – No Proposed Future Use

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Approval of a demolition permit for a two-family residence with no future use proposed.

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 that the standards for demolitions are met and **approve** a demolition permit for 214 South Marquette Street, subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Applicant / Contact: Lee Madden; PO Box 620434; Middleton, WI 53562

Property Owner: Richard Amdahl; 1 Cherokee Circle, #103

Proposal: The applicant requests approval of a demolition permit for an explosion-damaged two-family residence. No future use proposed at this time.

Parcel Location: The subject site is approximately 4,800 square feet in area, located along the west side of South Marquette Street roughly 300 feet north of its intersection with Atwood Avenue. The parcel is located within Aldermanic District 6 and within the boundaries of the Madison Metropolitan School District.

Existing Conditions: The property includes a vacant two-family residence that was heavily damaged after an explosion in 2010. The City's Building Inspection Division Director has provided a memo to the Plan Commission urging the Commission's support of this request, noting the severe damage that has occurred to the structure. He concludes that repairing the structure is financially impractical. Additional information is included within the body of this report and in the attached materials.

Surrounding Land Use and Zoning: The site is surrounded to the north, south, and east by other single and two-family homes, zoned R4 (General Residence District). A metal fabricating business, (Madison Kipp Corp), zoned M1 (Limited Manufacturing) abuts the site to the west.

Adopted Land Use Plan: The Comprehensive Plan recommends low density residential development for the subject site. The Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan does not provide additional land use or zoning recommendations for this site.

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: The property is zoned R4. A zoning summary table is not included since no development is proposed at this time.

Project Analysis, Evaluation, and Conclusion

The applicant requests approval to demolish a vacant two-family residence with no future use proposed at this time. This request is subject to the demolition standards of Section 28.12 (12) of the Zoning Ordinance.

The subject 4,800 square foot property is located on the west side of Marquette Street, roughly 300 feet north of its intersection with Atwood Avenue. According to City Assessor records, the subject two-unit home was built in 1914 and includes 1,248 square feet of living area. The site is surrounded to the north, south, and east by other single and two-family homes, zoned R4 (General Residence District). A metal fabricating facility (Madison Kipp Corp) abuts the site to the west and is zoned M1 (Limited Manufacturing District).

The building was significantly damaged by an explosion in September 2010. The blast was caused by the ignition of chemicals used in a bathtub resurfacing project. Interior and exterior photographs of the structure have been provided and can be viewed online at:

http://www.cityofmadison.com/planning/projects/reports/214sms_photos.pdf

A memorandum from the Building Inspection Division Director notes that the explosion blew out windows and pushed the exterior walls off the foundation by up to 2.75 inches. The building is not in a habitable condition and the Building Inspection Division Director believes that the age, condition, and location of the building makes repair financially impractical. In the attached correspondence, he notes that with any long-vacant structure, the building has increased potential as a public nuisance and urges the Plan Commission to support its demolition.

While the applicant indicates a desire to build a replacement two-unit structure, no formal proposal is made at this time. The applicant's letter of intent states that it is not possible to proceed with a replacement structure until soil contamination issues, believed to be from Madison Kipp Corp, are resolved. Until such resolution is reached, the applicant indicates that insurance settlement funds and new mortgage financing are not available. The exact level of contamination or timeline to resolve issues for the subject site are unknown at this time.

As such, the proposal does not include a proposed future use. In such a case, the Plan Commission must make a finding, based on evidence from the Madison Fire Department, Police Department, and/or Neighborhood Preservation and Inspection Division, that a potential fire hazard, potential unlawful use of the property, potential public nuisance, or other public health and safety concern supports demolition or removal before a future use is proposed. Please see the full memorandum from the Building Inspection Director.

The Planning Division supports the demolition of this structure. Based on the information provided by the applicant, there appears to be little feasibility in rehabilitating this structure. The City's Preservation Planner has no objections to this request. If the home is demolished, City Ordinance requires that any accessory buildings are removed and the site reseeded with grass. In some cases the Plan Commission has conditioned such demolition approvals requiring the proposed future use return to the Commission. Staff have not included such a condition at this time, noting that anything other than a single or two-family home would require conditional use approval from the Plan Commission under the property's R4 (General Residence District) zoning.

At the time of report writing, staff was not aware of any objections to this request. Comments provided by the district Alderperson notes her support for this request

Recommendation and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the standards for demolitions are met and **approve** a demolition permit for 214 South Marquette Street, subject to input at the public hearing and the conditions recommended by the reviewing agencies.

The following conditions have been submitted by reviewing agencies:

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

1. When future proposed building plans are known, coordinate the final approved site plan and addressing plan with Engineering Mapping staff. In accordance with 10.34 MGO – STREET NUMBERS - Submit a PDF of each floor plan to Engineering Mapping Lori Zenchenko (Lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
2. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
3. 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)
4. 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)
5. All damage to the pavement on S. Marquette Street adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

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

This agency submitted a report with no recommended conditions of approval.

Zoning Administrator (Contact Pat Anderson, 266-5978)

6. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permits being issued.
7. Sec 28.12(12)(e) of the Madison 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.
8. Approval of the demolition permit will require the removal of all structures including the driveway landscaped and seeded to minimize erosion, remove asphalt driveway and apron and replace with curb and gutter as per City Engineering & Traffic Engineering requirements. During demolition and prior to curb and gutter, installation of barriers shall be installed across the driveway to prevent the parking of vehicles.
9. Future development shall meet applicable building and zoning ordinances following applicable processes.

Water Utility (Contact Dennis Cawley, 261-9243)

10. The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is not in a Wellhead Protection District. 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 Scott Strassburg, 261-9843)

11. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities (608) 246-4587.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not submit a response to this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.