



Report to the Plan Commission

July 9, 2012

Legistar I.D. #26933 – 802-854 E. Washington Ave.

Legistar I.D. #26934 – 801-819 E. Washington Ave.

Demolition Permits

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

Requested Action:

ID 26933 – Approval of a demolition permit to allow former automobile dealership buildings located at 802-854 E. Washington Avenue to be demolished to facilitate future redevelopment by others.

ID 26934 – Approval of a demolition permit to allow former automobile dealership buildings located at 801-819 E. Washington Avenue to be demolished to facilitate future redevelopment by others.

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 the demolition permit standards met and **approve** demolition permits to allow automobile dealership buildings located on City-owned properties at 802-854 E. Washington Avenue and 801-819 E. Washington Avenue to be razed to facilitate future redevelopment by others, 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: City of Madison Economic Development Division.

Agent: Brynn Bemis, City Engineering Division.

Proposal & Existing Conditions: The City Engineering Division is requesting approval to demolish the former Don Miller auto dealership buildings located on two City-owned properties located on either side of E. Washington Avenue east of Livingston Street in order to begin remediation of those properties in anticipation of future redevelopment by other parties. The northern site at 802-854 E. Washington Avenue is developed with 5 buildings and a trailer zoned C3 (Highway Commercial District) and WP-24 Zones A & B, (Wellhead Protection Zoning Overlay 24). The southern site at 801-819 E. Washington Avenue is developed with 3 buildings zoned M1 (Limited Manufacturing District) and WP-24 Zone B. The demolition will proceed as soon as all necessary approvals have been granted, with completion scheduled for this fall. There is currently no timetable for when redevelopment of these sites will occur, or what the exact specifics of those redevelopment projects may include.

Parcel Location: 802-854 E. Washington Avenue is a full-block, 4.5-acre parcel bounded by E. Mifflin Street on the north, N. Ingersoll Street on the west, E. Washington Avenue on the south, and N. Paterson Street on the east; Aldermanic District 2 (Maniaci). 801-819 E. Washington Avenue is an approximately 1.4-acre parcel located on the east side of S. Ingersoll Street between E. Washington Avenue and E. Main Street; Aldermanic District 6 (Rummel). Both sites are located in Urban Design District 8 and the Madison Metropolitan School District.

Surrounding Land Uses: The full-block site located on the north side of E. Washington Avenue is located across E. Mifflin Street from Reynolds Park and Water Utility Well 24 and across N. Paterson Street from Breese Stevens Field. The former Don Miller and City-owned property located on the west

side of N. Livingston Street is currently being redeveloped by Otto Gebhardt III with a 12-story mixed-use development in PUD zoning.

The southern site is bounded on the south and west by operations facilities for Madison Gas & Electric, and on the east by a number of commercial and industrial buildings under multiple ownerships. All of the parcels adjacent to the southern site are zoned M1 (Limited Manufacturing District).

Adopted Land Use Plan: Both sites are located within the boundaries of the 2008 East Washington Avenue BUILD Capitol Gateway Corridor Plan, which provides detailed land use and urban design recommendations for the blocks located on both sides of E. Washington Avenue between Blair Street and First Street.

The northern site is recommended in the Capitol Gateway Corridor Plan for future development with medium-density residential uses on the northern half of that block adjacent to E. Mifflin Street, while the southern half of the block is recommended for future community mixed-use development adjacent to E. Washington Avenue. Similar land use recommendations are included for the northern site in the 2008 Tenney-Lapham Neighborhood Plan.

The entire southern site is recommended in the Capitol Gateway Corridor Plan for future employment development with potential first floor commercial uses also identified on the corner of E. Washington Avenue and S. Livingston Street. The site is also located within the limits of the East Rail Corridor Plan, which identifies the site for commercial and industrial uses consistent with the historic use of the property as part of a larger employment center corridor that is centered along E. Main Street and generally extends from E. Washington Avenue to E. Wilson Street.

Environmental Corridor Status: Neither site is located within a mapped environmental corridor.

Public Utilities and Services: Both properties are served by a full range of urban services.

Zoning Summary: The existing improvements on both sites will be removed following approval of these requests. Future redevelopment will be required to comply with the Zoning Code at the time of development approvals being granted, including C3 Highway Commercial zoning of the northern site and the M1 Limited Manufacturing zoning of the southern site. Future reuse of both properties will also be governed by the WP-24 Wellhead Protection Zoning Overlay and the requirements of Urban Design District 8, which was enacted to implement the recommendations and objectives contained in the East Washington Avenue BUILD Capitol Gateway Corridor Plan.

Project Review, Analysis & Conclusion

In the summer of 2011, the City of Madison Economic Development Division completed the acquisition of a series of properties previously associated with the Don Miller Auto Group located on three of the four quadrants of the intersection of E. Washington Avenue and Livingston Street. The properties were purchased using land banking funds and include a 1.5-acre parcel located at the northwesterly corner of the intersection (754 E. Washington Avenue/ 741 E. Mifflin Street), a 4.5-acre parcel located at the northeasterly corner of the intersection that encompasses the entire block extending north to E. Mifflin Street and east to N. Paterson Street (802-854 E. Washington Avenue), and a 1.4-acre parcel located at the southeasterly corner (801-819 E. Washington Avenue). All three of the properties contained a variety of former auto dealership buildings at the time of closing.

Gebhardt Development received approval earlier this year to demolish the former dealership building at 754 E. Washington Avenue/ 741 E. Mifflin Street to allow construction of the 12-story Constellation mixed-use development, which will contain 30,000 square feet of commercial space and approximately 215 apartment units when completed in August 2013.

The City Engineering Division is requesting Plan Commission approval of demolition permits to allow five buildings located on the 802-854 E. Washington Avenue property and three buildings located on the 801-819 E. Washington Avenue property to be razed in order to begin the phased remediation of those properties in anticipation of future redevelopment by others. The letter of intent indicates that the buildings will be demolished to grade, with the building foundations and parking lots to be left intact until the sites are further redeveloped in the future by third-party developers. The targeted remediation of the sites will begin the removal of various contaminants associated with the historical fill present on the properties, a number of underground storage tanks, and surface contamination from the auto-oriented uses of the properties. The initial remediation work will be undertaken by the City using a State remediation grant and matching City funds. More thorough remediation of these properties will be required in the future prior to the redevelopment of those sites by others.

The buildings proposed for demolition with these requests include a variety of mostly one-story sales buildings, storage facilities, and repair shops. A used car sales trailer will also be removed. Photos of the various buildings to be demolished are included in the Plan Commission materials. The City's Preservation Planner has no concerns with the demolition of these buildings, and the Landmarks Commission informally reviewed the proposed demolitions and had no comment.

No future use of these properties is proposed at this time. The full-block 4.5-acre site on the north side of E. Washington Avenue is currently zoned C3 (Highway Commercial District) and is located within the limits of Zones A and B of the Wellhead Protection Zoning Overlay for Water Utility Well 24, which is located across E. Mifflin Street from the northwesterly corner of the site. The site is recommended in the 2008 East Washington Avenue BUILD Capitol Gateway Corridor Plan for future development with medium-density residential uses on the northern half of the block adjacent to E. Mifflin Street, while the southern half of the block is recommended for future community mixed-use development adjacent to E. Washington Avenue. The Capitol Gateway Corridor Plan was developed to provide detailed land use and urban design recommendations for the blocks located on both sides of E. Washington Avenue between Blair Street and First Street. Similar medium-density and community mixed-use development land use recommendations are recommended for the 802-854 E. Washington Avenue property in the 2008 Tenney-Lapham Neighborhood Plan.

The 1.4-acre property at 801-819 E. Washington Avenue is zoned M1 (Limited Manufacturing District) and is located in Zone B of WP-24. The site is recommended in the Capitol Gateway Corridor Plan for future employment uses with potential first floor commercial uses recommended at the corner of E. Washington Avenue and S. Livingston Street. The site is also located within the limits of the East Rail Corridor Plan, which identifies the site and surrounding properties located on the south side of E. Washington Avenue for commercial and industrial uses as part of a larger planned employment center corridor centered along E. Main Street.

On May 15, 2012, the Common Council approved a resolution accepting a proposal for the purchase and redevelopment of the northern site; a similar proposal for the purchase and redevelopment of the southern site is pending. Future redevelopment of both properties will be required to comply with the Zoning Code at the time of development approvals are granted, including the Wellhead Protection Zoning Overlay applicable to both sites, which requires the General Manager of the Madison Water Utility or his/her designee to approve the future uses of those properties based on an adopted wellhead protection plan. Both properties are also located in Urban Design District 8, which contains very

detailed land use and urban design provisions intended to implement the recommendations contained in the Capitol Gateway Corridor Plan. Specific redevelopment plans for both properties will require approval by the Urban Design Commission prior to the issuance of building permits, including the final site plans, landscaping plans, and architectural details of any new buildings proposed.

In conclusion, the Planning Division believes that the demolition of the former auto dealership buildings can meet the standards of approval for demolition permits and believes that the economic productivity of both sites will be greatly increased following the demolition of the buildings, remediation of the sites, and future redevelopment of the properties by others. The removal of the existing buildings represents yet another important step in the continued revitalization of E. Washington Avenue on the East Isthmus.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission find the demolition permit standards met and **approve** demolition permits to allow the automobile dealership buildings located on City-owned properties at 802-854 E. Washington Avenue (ID 26933) and 801-819 E. Washington Avenue (ID 26934) to be demolished to facilitate future redevelopment by others, subject to input at the public hearing and the following conditions from reviewing agencies:

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

For both applications:

1. The applicant shall close or abandon unused driveways as agreed to by the City Engineer.
2. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the 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 7.5-tons per acre per year.
3. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
4. Prior to final approval of the demolition permit application, the owner shall obtain a permit to plug each existing sanitary and storm 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 Dan McCormick, 267-1969)

This agency submitted a response with no conditions of approval for these requests.

Zoning Administrator (Contact Pat Anderson, 266-5978)

For both applications:

5. 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.
6. Approval of the demolition permits will require the removal of all structures including the driveways, except for those driveways approved as service drives for nearby construction projects. Driveways and aprons shall be replaced with curb and gutter as per City Engineering and Traffic Engineering requirements. During demolition and prior to construction of final curb and gutter, barriers shall be installed across the other driveways to prevent the parking of vehicles. The approved service drives shall be shown on final plans.
7. Future development shall meet applicable building and zoning ordinances, including site plan review and land use approvals.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not submit comments for these requests.

Fire Department (Contact Bill Sullivan, 261-9658)

8. Note: Please consider allowing the Madison Fire Department to conduct training sequences on both sites prior to demolition. Contact the MFD Training Division at 246-4587 to discuss this possibility.

Water Utility (Contact Dennis Cawley, 261-9243)

For both applications:

9. Both properties are located in a wellhead protection district. All proposed future uses of these sites shall be approved by the Water Utility General Manager or his/ her designated representative.
10. 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.