

PLANNING DIVISION STAFF REPORT

March 27, 2023



PREPARED FOR THE PLAN COMMISSION

Project Address: 4825 N Sherman Avenue
Application Type: Demolition Permit
Legistar File ID # [76306](#)
Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Adam Kaniewski; City of Madison Parks Division; 330 E Lakeside Street; Madison, WI 53715

Property Owner: City of Madison Parks Division (Eric Knepp); 330 E Lakeside Street; Madison, WI 53715

Requested Action: Approval of a demolition permit for 4825 N Sherman Avenue to demolish a single-family residence.

Proposal Summary: The applicant is requesting approval of a demolition permit to demolish a two-story, single-family residence located to the southeast of the intersection of N Sherman Avenue and Wheeler Road. After demolition, the portion of the site where the residence is located will be graded and seeded. Submitted materials indicate that demolition will commence as soon as all regulatory approvals have been granted.

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 a single-family residence at 4825 N Sherman 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: The roughly 27,000-square-foot, 0.62-acre subject parcel is located at the southeastern corner of the intersection of N Sherman Avenue and Wheeler Road. It is also located in Alder District 18 (Ald. Myadze) and the Madison Metropolitan School District.

Existing Conditions and Land Use: According to City Assessor's Office records, the property contains a two-story, roughly 1,100-square-foot, single-family residence which was constructed in 1940 and contains a partial basement. It is currently vacant. The property is zoned A (Agricultural District).

Surrounding Land Use and Zoning:

North: Across Wheeler Road is St. Peter's Catholic Church, zoned SR-C1 (Suburban Residential–Consistent 1 District);

East and South: City of Madison Whitetail Ridge Park, zoned A (Agricultural District); and

West: Across N Sherman Avenue are the Cherokee II Condominiums, zoned SR-V2 (Suburban Residential–Varied 2 District).

Adopted Land Use Plans: The 2018 [Comprehensive Plan](#) recommends Low Residential (LR) uses for the subject parcel as well as the adjacent land to the east and south. The Plan does note that nonresidential uses within residential areas may include, among other things, parks and recreational facilities. The [Cherokee Neighborhood Development Plan](#) (2007) notes that the subject parcel is in the 'Hornung Woods and Field' core planning sub-area and recommends Low Density Residential uses, which it notes have less than eight dwelling units per acre. Finally, the [Northport Warner Park Sherman Neighborhood Plan](#) (2009) does not provide specific recommendations for the subject parcel.

Zoning Summary: The property is in the Agricultural (A) Zoning District

Requirements	Required	Proposed
Lot Area (sq. ft.)	10 acres	.62 acres
Lot Width	300 ft	162 ft
Other Critical Zoning Items	None	

Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The subject parcel contains no environmental mapped corridors.

Public Utilities and Services: This property is served by a full range of urban services.

Project Description, Analysis and Conclusion

The City of Madison Parks Division, the applicant and property owner, is requesting approval from the Plan Commission to demolish a single-family residence located to the southeast of the intersection of N Sherman Avenue and Wheeler Road.

According to City Assessor's Office records the single-family residence is two stories in height, roughly 1,100 square-feet in size, was constructed in 1940, and contains a partial basement. The applicant has submitted [demolition photos](#) of the structure, which is current vacant and, according to the applicant, is in "poor condition, showing obvious signs of deferred maintenance for a number of years." The property was acquired by the City of Madison Parks Division in January of last year.

The portion of the site where the residence is located will be graded and seeded following demolition. The future use of this site is not before the Plan Commission. As a reference, the submitted materials indicate the subject site as well as the 21-acre parcel to the east and south will be part of a future expansion to Whitetail Ridge Park (which is located immediately to the southeast.) At this time, there are no development proposals pending for the subject property following the demolition request.

Compliance with Adopted Plans

The 2018 [Comprehensive Plan](#) recommends Low Residential (LR) uses for the subject parcel as well as the adjacent land to the east and south. The Plan does note that nonresidential uses within residential areas may include, among other things, parks and recreational facilities. The [Cherokee Neighborhood Development Plan](#) (2007) notes that the subject parcel is in the 'Hornung Woods and Field' core planning sub-area and recommends Low Density Residential uses, which it notes have less than eight dwelling units per acre. The [Northport Warner Park Sherman Neighborhood Plan](#) (2009) does not provide specific recommendations for the subject parcel.

Demolition Permit Standards

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 seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding 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.

On balance, the Planning Division believes that the standards for Demolition Permits can be found met, but provides the following comments regarding Standards 1 and 4.

Standard 1 states that *“the applicant has included information related to any efforts to relocate the building, including but not limited to assessing the costs of relocation, the impact of relocation on city terrace trees, and the structural soundness of the building.”* In submitted materials, the applicant notes that relocation was considered but that single-family houses are “not conducive to [conversion into] typical park structures such as public shelters, restrooms and storage.” They also noted that conversations and a site visit occurred with an individual interested in a potential relocation. However, after the site visit, no further interest was shown.

Staff also makes note of Standard 4, *“That the Plan Commission has received and considered 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 February 6, 2023 meeting, the Landmarks Commission reviewed the proposed demolition and a copy of the report of the Landmarks Commission can be found under Legislative File [75031](#) and is linked [here](#). The Landmarks Commission voted to recommend to the Plan Commission that the building at 4825 N Sherman Avenue has no known historic value.

Planning Division staff believe all other standards of approval can be found met or are not applicable to this request.

At the time of report writing, staff have only received one public comment – a letter of support for the proposed demolition. This comment has been added to the project’s [Legistar File](#) for the request.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow a single-family residence at 4825 N Sherman Avenue to be demolished, subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

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. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4560)

2. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.
3. Section 28.185(9)(b) requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com.
4. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
5. Section 28.185(11)(a) A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.
6. Approval of the demolition permit will require the removal of all structures including the principal building, accessory garage, parking lot, and driveways. The driveway aprons shall be removed and replaced with curb and gutter as per City of Madison Engineering and Traffic Engineering requirements. During demolition and prior to curb and gutter, barriers shall be installed across the driveways to prevent the parking of vehicles. Disturbed areas shall be graded and seeded or sod planted to minimize erosion

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

7. Please consider allowing the 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)

8. 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 Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266-4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. 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.

The Planning Division, City Engineering Division—Mapping Section, Traffic Engineering Division, Parks Division, Forestry, and Metro have reviewed this request and have recommended no conditions of approval.