

# PLANNING DIVISION STAFF REPORT

September 23, 2024



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 346 E Lakeside Street (13<sup>th</sup> Alder District - Alder Evers)

**Application Type:** Demolition Permit and Zoning Map Amendment

**Legistar File ID #** [84822](#) and [85056](#)

**Prepared By:** Chris Wells, Planning Division  
Report Includes Comments from other City Agencies, as noted

**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant & Property Owner:** Adam Kaniewski; Parks Division; 330 E Lakeside Street; Madison, WI 53715

**Contact:** City of Madison Parks Division (Eric Knepp, Superintendent); 330 E Lakeside Street; Madison, WI 53715

**Requested Actions:** This proposal involves two requests: 1) Consideration of a demolition permit to demolish a single-family residence at 346 E Lakeside Street; and 2) Consideration of a Zoning Map Amendment to change the zoning of property located at 346 E Lakeside Street from TR-C2 (Traditional Residential-Consistent 2) District to PR (Parks and Recreation) District.

**Proposal Summary:** The applicant proposes to demolish a 1½ -story, four-bedroom, 2,292-square-foot, single-family residence with a detached, one-stall garage. The City's Assessor's Office notes the residence was constructed in 1908. Upon demolition, the applicant intends to restore the footprints to grass to be maintained as part of Olin-Turville Park. The site will also be rezoned to the PR (Parks and Recreation) District to match the zoning of the park.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. This proposal is also subject to the standards for demolition permits [MGO Section 28.185(7)].

**Review Required By:** Plan Commission and Council

**Summary Recommendations:** The Planning Division recommends the following to the Plan Commission:

- That the Plan Commission find that the standards for demolition permits are met to **approve** the demolition of a single-family residence at 346 E Lakeside Street; and
- That the Plan Commission forward Zoning Map Amendment ID 28.022-00689, to change the zoning of the property at 346 E Lakeside Street from the TR-C2 (Traditional Residential-Consistent 2) District to the PR (Parks and Recreation) District, to the Common Council with a recommendation of **approval**.

These recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

## Background Information

**Parcel Location:** The 6,639-square-foot property is located on the north side of E Lakeside Street, between Edgewater Court and Lakeshore Court. It is accessed from E Lakeside Street via a shared drive aisle which runs along the south side of the two adjacent single-family residences to the southeast. It is located within Alder District 13 (Evers) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The property is zoned Traditional Residential – Consistent 2 (TR-C2) District and is developed with a 1½ -story, four-bedroom, 2,292-square-foot, single-family residence with a detached one-stall garage. The City’s Assessor’s Office notes the residence was constructed in 1908.

**Surrounding Land Use and Zoning:**

Northwest: City of Madison Olin-Turville Park, zoned PR (Parks and Recreation) District;

Northeast: Lake Monona;

Southeast: Single-family residences, zoned TR-C2 (Traditional Residential – Consistent 2) District; and

Southwest: Across E Lakeside Street is City of Madison Olin-Turville Park, zoned PR.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends (P) Parks and Open Space uses for the subject parcel. To this end, pertaining to the subject parcel and the roughly dozen other single-family residences located along the north side of E Lakeside Street, the Comprehensive Plan contains a map note (#6), which states “The existing residential uses may continue until an opportunity arises to convert this area to public park and open space. The existing uses should not be expanded and the land should not be redeveloped.” The [South Madison Neighborhood Plan](#) (2005) and the [Bay Creek Neighborhood Plan](#) (1991) both recommend (P) Parks, Recreation, Open Space, Conservancy uses for the subject property.

**Zoning Summary:** The property is in the Traditional Residential – Consistent 2 (TR-C2) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	5 acres	9,639.48
Lot Width	300’	67.3’
Front Yard Setback	30’	TBD
Side Yard Setback	30’	TBD
Rear Yard Setback	30’	TBD
Maximum Lot Coverage	None	TBD
Maximum Building Height	2 stories/35’	TBD

Other Critical Zoning Items		
Yes		Floodplain; Wetlands; Adjacent to Park; Utility Easements
No		Urban Design; Historic District; Barrier Free (ILHR 69); Wellhead Protection District; TOD Overlay

*Prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services. Metro Transit operates daily service along John Nolan Drive.

**Project Description, Project Analysis, and Conclusion**

The applicant proposes to demolish a 1½ -story, four-bedroom, 2,292-square-foot, single-family residence with a detached, one-stall garage. The City’s Assessor’s Office notes the residence was constructed in 1908. Upon demolition, the applicant intends to restore the footprints to grass to be maintained as part of Olin-Turville Park. The site will also be rezoned to the PR (Parks and Recreation) District to match the zoning of the park.

The applicant has submitted [demolition photos](#) and, regarding the condition of the structure, stated that it is in “*poor condition, showing obvious signs of deferred maintenance for a number of years.*” Planning Division Staff has not inspected the building.

### **Compliance with Adopted Plans**

The [Comprehensive Plan](#) (2018) recommends (P) Parks and Open Space uses for the subject parcel. To this end, pertaining to the subject parcel and the roughly dozen other single-family residences located along the north side of E Lakeside Street, the Comprehensive Plan contains a map note (#6), which states “*The existing residential uses may continue until an opportunity arises to convert this area to public park and open space. The existing uses should not be expanded and the land should not be redeveloped.*” The [South Madison Neighborhood Plan](#) (2005) and the [Bay Creek Neighborhood Plan](#) (1991) both recommend (P) Parks, Recreation, Open Space, Conservancy uses for the subject property.

### **Standards for Zoning Map Amendments**

The Zoning Map Amendment standards, found in 28.182(6), MGO state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the [Comprehensive Plan](#), and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City’s [Comprehensive Plan](#). 2010 Wisconsin Act 372 clarified “consistent with” as “furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.”

As discussed above, Staff believe that, based on the Parks and Open Space land use recommendation in the [Comprehensive Plan](#), [South Madison Neighborhood Plan](#), and [Bay Creek Neighborhood Plan](#), the zoning map amendment request is consistent with adopted plans and all applicable standards can be found met.

### **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.

The Planning Division believes that the standards for Demolition Permits can be 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 communications with staff, the applicant notes that they did consider relocating the structure but that the house is “*not conducive to typical park structure uses such as public shelters, restrooms or storage. For that reason, the structure would also not be desirable if re-located to other park lands.*” Regarding the relocation more generally, they noted that the structure “*is in poor condition, showing obvious signs of deferred maintenance for a number of years*” and that its condition made the move “*not economically realistic.*” They did note that the Parks Division has made components of the house available for salvage and Deconstruction Inc. has salvaged items from the house.

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 May 20, 2024 meeting, the Landmarks Commission found that the existing building at 346 E Lakeside Street 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, no public comments have been received regarding these requests.

## Recommendation

### Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends the following to the Plan Commission:

- That the Plan Commission find that the standards for demolition permits are met to **approve** the demolition of a single-family residence at 346 E Lakeside Street; and
- That the Plan Commission forward Zoning Map Amendment ID 28.022-00689, to change the zoning of the property at 346 E Lakeside Street from the TR-C2 (Traditional Residential-Consistent 2) District to the PR (Parks and Recreation) District, to the Common Council with a recommendation of **approval**.

These recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

### Engineering Division (Main Office) (Contact Timothy Troester, (608) 267-1995)

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 Jenny Kirchgatter, (608) 266-4429)

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](mailto: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. Approval of the demolition will require the removal of all structures including the residential building, accessory garage, and driveway. Disturbed areas shall be graded and seeded or sod planted to minimize erosion.

**Fire Department** (Contact Matt Hamilton, (608) 266-4457)

4. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Ron Blumer at [rblumer@cityofmadison.com](mailto:rblumer@cityofmadison.com) or (608) 266-4198.

**Water Utility Review** (Contact Jeff Belshaw, (608) 261-9835)

5. 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.

**Parking Review** (Contact Jeffrey Trent W Schultz, 608-246-5806)

6. The agency reviewed this request and has recommended no conditions of approval. A Transportation Demand Management (TDM) Plan may be required as part of future development.

**The following agency has reviewed this request and has recommended no conditions of approval:**

Engineering – Mapping; Traffic Engineering; Parks Division; Forestry; and Metro