



Project Address: 935 W Johnson Street
Application Type: Zoning Map Amendment and Demolition Permit
Legistar File ID # [59133](#) and [59810](#)
Prepared By: Timothy M. Parks, Planning Division
 Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: University of Wisconsin–Madison, c/o Gary Brown and Aaron Williams, University Facility Planning & Management; 30 N. Mills Street; Madison

Requested Actions: Approval of a request to rezone 935 W Johnson Street from TR-U2 (Traditional Residential–Urban 2 District) to CI (Campus–Institutional District) and an amendment to the University of Wisconsin–Madison campus master plan to include the parcel; and approval demolition permit to allow single-family residence to be razed for a future academic building.

Proposal Summary: The University of Wisconsin–Madison is requesting to rezone a recently acquired single-family residence at 935 W Johnson to CI and to amend various pages of their approved CI zoning district master plan for the University of Wisconsin–Madison campus to include the subject property. The University also requests approval of a demolition permit to demolish the residence. Following demolition, the subject site will remain undeveloped pending future development of an academic building planned for the block. If approved, demolition of the residence will occur in spring/summer 2020.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The purpose, uses, master plan process, and uses in the CI (Campus–Institutional District) are outlined in Section 28.097 of the Zoning Code. Section 28.185 provides the process and standards for the approval of demolition and removal permits.

Review Required By: Plan Commission and Common Council

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00419, rezoning 935 W Johnson Street from TR-U2 to CI and amending specific pages of the campus master plan, to the Common Council with a recommendation of **approval**, and also find that the standards for demolition permits are met to **approve** the demolition of the single-family residence on the subject site for a future academic building, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: A 3,409 parcel located at the southeastern corner of W Johnson and N Brooks streets; Aldermanic District 8 (Rohrer); Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is developed with a two-story, approximately 1,380 square-foot single-family residence and a detached garage, zoned TR-U2 (Traditional Residential–Urban 2 District). The garage is located mostly on the subject site but also straddles the lot line with 219 N Brooks Street.

Surrounding Land Uses and Zoning:

North: Grainger Hall across W Johnson Street, zoned CI (Campus–Institutional District);

South: Three- and four- unit multi-family dwellings, zoned TR-U2 (Traditional Residential–Urban 2 District) and Building 1060 (The American Indian Student & Cultural Center), zoned CI; Clymer Place;

West: Educational Sciences Building, zoned CI;

East: Surface parking (Lot 61), Davis Residence Hall and Zoe Bayliss Co-Op, zoned CI.

Adopted Land Use Plans: The 2018 [Comprehensive Plan](#) includes the subject site and surrounding properties in the Special Institutional district.

The 2008 [Regent Street–South Campus Neighborhood Plan](#) includes the subject site and the larger block bounded by W Johnson Street, N Park Street, W Dayton Street, and N Brooks Street in the “Academic/Research” Campus District (for university-related academic classrooms, offices, and research), with up to 12-story future buildings possible on that block.

Zoning Summary: The site will be zoned CI (Campus–Institutional District). The specific bulk and area requirements for the site will be governed by the amended CI zoning district master plan for the larger campus.

Environmental Corridor Status: The property is not located in a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services, including Metro Transit, which currently operates daily service along W Johnson Street and University Avenue.

Previous Approvals

On July 18, 2017, the Common Council adopted Substitute Ordinance 17-00074 (ID 47245), adopting a Master Plan for the portions of the University of Wisconsin–Madison campus zoned in the Campus-Institutional (CI) District. Following final approval of the plan document by City staff, the CI zoning district master plan for the campus took effect on January 1, 2019 and will remain in effect until January 1, 2029 consistent with the ten-year master plan approval period stipulated in Section 28.097 of the Zoning Code. This master plan is hereinafter referred to as the “2017/2019 CI zoning master plan” for the year of Common Council approval and the year the plan took effect. A link to that plan may be found [here](#).

On May 21, 2012, the Plan Commission approved requests by the University of Wisconsin–Madison for a demolition permit to raze two residential buildings at 925-933 W Johnson Street and a conditional use in R5 (General Residence District) zoning [1966 Code] for a non-accessory parking lot (930 Clymer Place).

Project Description

The University of Wisconsin–Madison (“University”) is requesting to rezone an approximately 3,400 square-foot parcel located at the southeastern corner of W Johnson and N Brooks streets to CI and to amend various pages of their approved CI zoning district campus master plan to incorporate the recently acquired property. The subject site is developed with a two-story single-family residence, which the University also requests approval to demolish. Following demolition, the subject site will remain undeveloped until an academic building planned for the block is developed in the future. A detached garage located across the southern property line shared with an

adjacent four-unit apartment building located at 219 N Brooks Street is proposed to remain following demolition of the subject residence.

The building to be razed was constructed in 1854 and includes 1,384 square feet of floor area according to City records. The residence includes four bedrooms and two bathrooms on a full first floor and partial second floor. Photos of the interior and exterior of the residence are included in the application materials. The letter of intent indicates that the residence has been vacant since 2016 prior to the University's acquisition in 2019.

By condition of approval, the 2017/2019 CI zoning master plan for the University of Wisconsin–Madison campus only applies to the properties owned by the University of Wisconsin Board of Regents, State of Wisconsin, and University affiliates as of the submittal of the University's plan for City review and approval on April 3, 2017. The original master plan approval did not apply to any parcels not owned by the University or its affiliates, and inferences about the future use or acquisition of properties not owned by the University or its affiliates were struck or qualified in the final zoning document. Only those properties zoned in the CI district on April 3, 2017, zoned to the CI district concurrent with the master plan approval (see page 115 of the master plan), and 204 Bernard Court (rezoned to CI on September 5, 2017) are governed by the adopted zoning master plan. Any future additions to the CI zoning district and master plan for the University campus require Common Council approval of a zoning map amendment following a recommendation by the Plan Commission pursuant to the requirements in sections 28.097 and 28.182 of the Zoning Code following public hearings pursuant to the processes in Section 28.181.

In addition to the zoning map amendment to zone 935 W Johnson to CI, the University has submitted amendments to the 2017/2019 CI zoning district master plan to incorporate references to the subject parcel and building. Pages 9, 71, 115, 174, 175, and 190, and Appendix E of the master plan will be amended with this request, including the pages that identify the current boundaries of the CI zoning district, and the Phase 1 (2017-2023) Proposed Facility Removal page. Regarding the latter exhibit, the single-family residence at 935 W Johnson will join five other University-owned buildings on the block bounded by W Johnson, N Park, W Dayton, and N Brooks streets that will be demolished within the next few years, including the Davis and Bayliss residence halls.

Following demolition of the subject building and others on the block, the University anticipates construction of an academic or research facility and parking on the block. However, the 2017/2019 CI zoning master plan does not currently enumerate a specific project for the future building(s) between 2017 and 2035 (beyond the approval period of the zoning master plan), although the building could be constructed sooner subject to approval of a subsequent master plan amendment to add the project.

Analysis and Conclusion

In order to approve the zoning map amendment, the Common Council shall find that the zoning map amendment is *consistent with* the City's Comprehensive Plan as required by Section 66.1001(3) of Wisconsin Statutes. "Consistent with" is defined as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

For the demolition of the existing buildings, the Plan Commission shall find that both the requested demolitions and the proposed use are compatible with the purpose of Section 28.185 of the Zoning Code and the intent and purpose for the zoning district in which the property is located. In part, the purpose of Section 28.185 include aiding in the implementation of adopted City plans, protecting neighborhood character, preserving historic buildings, encouraging the reuse and/or relocation of existing buildings, and discouraging buildings falling into a

state of severe disrepair. The proposed use of the property following the demolitions should also be consistent with the Comprehensive Plan and any adopted neighborhood plans. When making its decision, the Commission may consider and give decisive weight to any relevant facts including but not limited to the effects the demolition and proposed use of the subject property following demolition would have on the normal and orderly development and improvement of surrounding properties, the reasonableness of efforts to relocate the building, including the costs of relocation and the structural soundness of the building, impacts on street trees, and the limits that the location of the building would place on relocation efforts.

The Planning Division believes that the proposed zoning map amendment, campus master plan amendment, and demolition permit can meet the applicable standards for approval. The proposal to add the subject site to the CI zoning district and demolition of the building to accommodate a future University academic building is consistent with the Special Institutional land uses recommended for the site and surrounding blocks by the 2018 Comprehensive Plan and recommendations in the 2008 Regent Street–South Campus Neighborhood Plan, which call for a campus academic/research building(s) to be developed on the block bounded by W Johnson, N Park, W Dayton, and N Brooks streets. Per the neighborhood plan, development of the block could be as tall as 12 stories. Specific details of a future building or buildings on this block, however, would require an amendment to the campus master plan to account for the bulk and area of those structures, which are currently not accounted for in the approved campus master plan.

Staff believes that the standards for demolition permit approval can be met despite the proposal to raze one of the oldest residences in the City. As noted in the preceding section, the two-story residence was originally constructed in 1854. According to the City's preservation planner, Heather Bailey, the preservation file for this property indicates that the Greek Revival-style house was built for Daniel Mackman and his family, and is one of the older homes remaining in Madison. The file does not include information on the Mackman family that might substantiate the historical nature of the home beyond its age and style.

The Landmarks Commission informally reviewed the proposed demolition at its February 17, 2020 meeting. During their discussion, it was noted by members and staff that the house looked intact, and that even an addition to the house subsequent to 1854 was "pretty old." Given the age of the house alone, the Landmarks Commission voted to recommend to the Plan Commission that the building at 935 W Johnson Street has historic value related to the vernacular context of Madison's built environment, but the building itself is not historically, architecturally, or culturally significant, which passed by voice vote/other.

Given the condition of the residence, which appears to be in below average to poor condition based on the photos provided, and the likelihood that the block on which the residence sits is likely to be redeveloped with other than residential uses at some point in the future, staff believes that the standards may be met to allow its demolition. However, given the age of the structure and its longstanding place in the City's landscape, staff would support a reasonable delay in the issuance of raze permits to allow the structure to be marketed for relocation to another site. In other such cases, a 60-day delay has been imposed to allow parties an opportunity to explore relocation before permit issuance so that the historic resource might be preserved at another location. In the event that the home cannot be related within a reasonable period of time, staff recommends that it be photo-documented for posterity.

Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00419, rezoning 935 W Johnson Street from TR-U2 to CI and amending specific pages of the campus master plan, to the Common Council with a recommendation of **approval**, and also find that the standards for demolition permits are met to **approve** the demolition of the single-family residence on the subject site for a future academic building, subject to input at the public hearing and the conditions from reviewing agencies:

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

Planning Division

1. Amended page 115 shall include a red-dashed outline for the subject property with the zoning map amendment information similar to the other areas highlighted on that page, which were rezoned to CI in July 2017. Similarly, the rezoning of 204 Bernard Court to CI approved in September 2017 shall also be referenced on that revised page. The final amended plans shall be submitted to Zoning for inclusion in the overall master plan document on file.
2. The applicant shall market the single-family residence for relocation off-site for a period of not less than 60 calendar days starting on a date to be agreed upon by the applicant and Planning Division. Demolition of the residence shall not be allowed within this 60-day period. Marketing of the house should include sharing its availability for relocation with local preservation organizations. In the event that the building is relocated, the party responsible for relocation shall coordinate with the Building Inspection Division and City Forestry Office as early as possible. If the structure cannot be relocated, staff requests that the University work with the City's preservation planner and others to document it prior to demolition.

City Engineering Division (Contact Tim Troester, 267-1995)

3. Obtain a permanent sewer plug permit for each existing sanitary sewer and storm 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.
4. Additional requirements for razing the existing building and construction of a new academic building will be provided with subsequent zoning submittals.

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

5. The applicant shall note that the garage to remain is subject to an easement permitting use by the owners of the property to the south until such time the garage is demolished by the applicant.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

This agency reviewed the request and has recommended no conditions of approval.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

6. Section 28.185(7)(a)5 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 (266-4682). Section 28.185(10) requires that every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
7. Following demolition, disturbed areas shall be graded and seeded or sod planted to minimize erosion.

Fire Department (Contact Bill Sullivan, 261-9658)

8. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact Division Chief Paul Ripp to discuss this possibility at pripp@cityofmadison.com or 712-6277.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

9. 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 MGO Section 13.21 prior to the demolition of the property. The existing properties will require an internal and external survey for potential un-abandoned private wells prior to proceeding with demolition. Please contact Water Utility staff at 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.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency reviewed the request and has recommended no conditions of approval.

Parks Division (Contact Sarah Lerner, 261-4281)

This agency reviewed the request and has recommended no conditions of approval.

City Forestry Section (Brad Hofmann, 267-4908)

This agency reviewed the request and has recommended no conditions of approval.