

PLANNING DIVISION STAFF REPORT

August 20, 2018



PREPARED FOR THE PLAN COMMISSION

Project Address: 4316 Monona Drive (District 15 – Alder Ahrens)
Application Type: Demolition Permit
Legistar File ID # [52571](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Owner: Monona Grove School District; 5301 Monona Drive; Monona, WI 53716
Contact: Jeff Carr; Monona Grove School District; 5301 Monona Drive; Monona, WI 53716

Requested Action: Approval of a demolition permit with no proposed use at 4316 Monona Drive

Proposal Summary: The applicant proposes to demolish a one-story single-family home at 4316 Monona Drive. No specific site plans or future use have been proposed at this time.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO Section 28.185(7)].

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a one-story single-family home at 4316 Monona Drive with no proposed future use. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The subject property is located on the northeast corner of Monona Drive and East Coldspring Avenue. The site is in Aldermanic District 15 (Ald. Ahrens) and is within the Madison Metropolitan School District.

Existing Conditions and Land Use: The 27,259-square foot (0.63-acre) subject site includes a one-story, 1,681 square-foot three-bedroom, 2 ½-bathroom, single family home constructed in 1931, zoned SR-C1 (Suburban Residential – Consistent 1 District). The property also includes a two-stall detached garage.

Surrounding Land Use and Zoning:

North: Single-family homes zoned Suburban Residential – Consistent District 1 (SR-C1);

South: Across East Coldspring Avenue, Monona Grove High School within the City of Monona;

East: Monona Grove High School Tennis Courts, zoned SR-C1; and

West: Across Monona Drive, residential neighborhood within the City of Monona.

Adopted Land Use Plan: The [Comprehensive Plan](#) recommends general low density residential uses (up to 15 dwelling units per acres) for the subject site. The subject site is not within any adopted neighborhood plan.

Zoning Summary: The property is zoned Suburban Residential – Consistent District 1 (SR-C1). No new development is proposed at this time; future redevelopment will require review by the Zoning Administrator.

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000 sq. ft.	27,259 sq. ft.
Lot Width	60'	172.1'
Front Yard Setback	30'	TBD
Side Yard Setback	One-story: 6' Two-story: 7'	TBD
Reverse Corner Side Yard Setback	15'	TBD
Rear Yard Setback	Lesser of 30% lot depth or 35'	TBD
Usable Open Space	1,300 sq. ft.	TBD
Maximum Lot Coverage	50%	TBD
Maximum Building Height	2 stories/ 35'	TBD

Other Critical Zoning Items	none
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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.

Project History

In early 2005, Monona Grove School District requested CSM and conditional use approval to reconfigure the tennis court facility between 4316 Monona Drive and 4217 and 4221 Jerome Streets and to reconfigure the lot lines of the three residential parcels in order to expand the tennis court facility, which would result in reducing the residential parcel areas. All three lots were proposed to continue to meet minimum lot width, lot area, and setback requirements. Issues of concern from nearby neighbors including grading, drainage, and visual buffering. Major issues of concerns and discussions between the City of Madison and Monona Grove School District at the time centered around reconstruction of Coldspring Avenue, on-street parking by school district staff and students, construction of additional sidewalk within the immediate area of the Monona Grove High School, limiting the further encroachment of the high school into the neighborhood, and returning the homes purchased by the school district to owner occupied housing. Planning Staff recommended that until all issues could be addressed, the request should be referred. The request was referred indefinitely at the March 7, 2005 Plan Commission meeting. This matter was inactive until the Plan Commission placed it on file without prejudice at its January 14, 2008 meeting.

Project Description

The applicant requests approval to demolish a single-family home with no proposed future use at this time. The structure proposed for demolition is a 1,681 square-foot three-bedroom, 2 ½-bathroom, single family home constructed in 1931. There is also a two-stall detached garage on site. Monona Grove School District purchased the house in 1996 and it has been vacant for most of that time. In the letter of intent, the applicant states while the house appears to be basically sound structurally, it has deteriorated roofing shingles, peeling paint, asbestos in windows and floors, obsolete mechanicals, and some interior damage. The provided [photographs](#) of the property suggests a house that has not been maintained, but is structurally sound. The application states that the applicant intends to leave the lot as open space.

Project Analysis and Conclusion

This request is subject to the standards for demolition permits, specifically those with no proposed use, as found in Section 28.185(7)(b). The Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section and the intent and purpose expressed in the SR-C Zoning Districts:

The SR-C Districts are established to stabilize and protect the essential characteristics of low- to moderate-density residential areas typically located in the outlying parts of the City, and to promote and encourage a suitable environment for family life while accommodating a full range of life cycle housing. The districts are also intended to:

- Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features;
- Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner; maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening;
- Facilitate the preservation, development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans; [and]
- In new development, use of the SR-C1 District, in conjunction with other residential districts, should be limited to insuring a mix of housing types, or for reasons related to topography, stormwater management, or other environmental considerations.

The statement of purpose in Section 28.185 encourages, in part, that it is “a matter of public policy that the good maintenance and rehabilitation of existing buildings...and the careful consideration and planning of changes in the urban landscape are a public necessity and are required in the interest of the health, prosperity, safety, and welfare of the people. The purpose of this section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the owner, encourage compliance with building and minimum housing codes...” According to Building Inspection Minimum Housing staff, there have been orders issued on this house, but none at this time. However, Building Inspection staff have also noted that most issues with the house are due to deferred maintenance and believes there are no serious structural issues facing the house.

The applicant has not provided a proposed use of the site following demolition, which is ordinarily the second and occasionally more scrutinized part of the question regarding consideration of a demolition permit by the Plan Commission, and the opportunity for the community to weigh whether the proposed use is compatible with adopted neighborhood plans and the Comprehensive Plan, as well as the impact the demolition and proposed use would have on the normal and orderly development and improvement of surrounding properties. In order to approve the demolition of a residential building with no immediate proposed use, the Plan Commission must find that, based on evidence from the Madison Fire Department, Police Department, and/or Building Inspection Division, 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. In the police report included as Attachment 1, the Madison Police Department believes the house to be a potential health and safety concern due to its condition and potential undesirable use made easier due to the fact that it is almost always unoccupied, and exacerbated by its proximity to a large number of children at the high school directly to the south.

If the Plan Commission does find the standards for the demolition permit are met and approve the request, in order to promote normal and orderly development and compatibility with adopted plans, the Plan Commission

has the ability to require that the alternative future use be approved by the Plan Commission prior to the issuance of permits as allowed under Section 28.175(8)(a) MGO.

The Landmarks Commission informally reviewed the proposed demolition on July 9, 2018 and found that the building had no known historic value.

At the time of report writing, staff had not received any written public comment on this proposal. However, at its August 8 meeting of the Lake Edge Neighborhood Association, the neighborhood, it appeared that most attendees were more concerned with the previously requested demolition and removal of the two houses at 4217 and 4221 Jerome Street than with the demolition and removal of the house at 4316 Monona Drive. The demolition applications for the Jerome Street houses have been withdrawn by the applicant.

Due to the issues outlined above, the deteriorated condition of the structure, the location at the a busier controlled intersection, its situation at the very edge of the Lake Edge neighborhood and separation from much of the neighborhood by the existing tennis courts, and the concerns of the Madison Police Department, the Planning Division believes that the standards for Demolition Permits **can be met**.

Recommendation

Planning Division Recommendation (Contact Colin Punt, 243-0455)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish the existing structure at 4316 Monona Drive with no proposed future use. This recommendation is 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

Planning Division (Contact Colin Punt, 243-0455)

1. As a future use was not presented at the time of application, the Plan Commission requires that the alternative future use be approved by the Plan Commission prior to the issuance of permits as allowed under Section 28.175(8)(a) MGO. The property owner shall execute a restrictive covenant prior to issuance of the demolition permit, which requires Plan Commission approval of the proposed alternative use of the property prior to issuance of building permits for any new construction. The standards for approval of the proposed alternative use shall be those in contained in Section 28.185 of the Zoning Ordinance. The form of the restrictive covenant shall be approved by the Planning Division and City Attorney's Office.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

2. 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 (608-266-4682).
3. 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.
4. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

5. Approval of the demolition permit will require the removal of all structures including the single-family dwelling, detached garage, driveway, and walkways. The driveway apron 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.

Engineering Division – Main Office (Contact Brenda Stanley, 261-9127)

6. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
7. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
8. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

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

9. The property boundary for 4316 Monona Drive is not accurate. There was property and a utility easement acquired for the reconstruction of Monona Drive per Document No. 4888913 in 2012. The site plan shall be updated to reflect the change in the western boundary along Monona Drive and to show the utility easement.
10. The existing public sanitary sewer easement per Doc No. 861711 shall be shown over the westerly 4.25 feet of the property of 4316 Monona Drive.
11. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
12. The site plan shall include a full and complete legal description of the site or property being subjected to this application.

Fire Department (Contact William Sullivan, 261-9658)

13. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Tracy Burrus at tburrus@cityofmadison.com or (608)266- 5959.

Parks/Forestry Division (Contact Kathleen Kane, 261-9671)

14. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall

be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

15. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

16. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. 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.

17. 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.
18. Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.