

PLANNING DIVISION STAFF REPORT

March 25, 2024



PREPARED FOR THE PLAN COMMISSION

Project Address: 204 West Sunset Court (District 5, Alder Vidaver)
Legistar File ID #: [81918](#)
Prepared By: Lisa McNabola, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Leif Backus; Associated Housewrights; 1217 Culmen Street, Madison, WI 53713

Property Owner: Erin and Todd Courtenay; 204 West Sunset Court, Madison, WI 53705

Requested Action: Consideration of a demolition permit to demolish a street-facing wall of a single-family building at 204 West Sunset Court.

Proposal Summary: The applicant proposes to demolish a street-facing wall of a single-family building to construct an addition.

Applicable Regulations & Standards: Standards of approval for demolition permits are found in MGO Section 28.185(6).

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that Plan Commission find the demolition standards met and **approve** the request to demolish a street-facing wall of a single-family building at 204 West Sunset Court. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 7,664 square-foot (0.17-acre) parcel is located at the southwest corner of West Sunset Court and Hillcrest Drive. It is located within Alder District 5 and the Madison Metropolitan School District.

Existing Conditions and Land Use: Per data from the Assessor's Office the site is occupied by a two-story, single-family building built in 1940. It is zoned Traditional Residential-Consistent 1 (TR-C1) District.

Surrounding Land Use and Zoning:

North: Across Hillcrest Drive, single-family residential buildings, zoned Traditional Residential-Consistent 1 (TR-C1) District;

East: Across West Sunset Court, single-family residential buildings, zoned TR-C1 District;

South: Single-family residential buildings, zoned TR-C1 District; and

West: Single-family residential buildings, zoned TR-C1 District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) for the subject site. The [Hoyt Park Area Neighborhood Plan](#) (2014) recommends Low Density Residential.

Zoning Summary: The property is in the Traditional Residential-Consistent 1 (TR-C1) District.

Environmental Corridor Status: The site is not within a mapped environmental corridor.

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

Project Description, Analysis, and Conclusion

The applicant is proposing to demolish a street-facing wall of a single-family building to construct an addition. The subject site is located at the southwest corner of West Sunset Court and Hillcrest Drive. The northern façade facing Hillcrest Drive would be demolished. As a permitted use, the proposed modifications to the home are not before the Plan Commission.

The Plan Commission shall consider the seven approval standards in MGO Section 28.185(9)(c) 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.

Standard four states, "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 12, 2024 meeting, the Landmarks Commission found that the building at 204 West Sunset Court has historic value related to the vernacular context of Madison's built environment but the building itself is not historically significant.

The Planning Division believes that the approval standards for demolition permits can be found met.

Recommendation

Planning Division Recommendation (Contact Lisa McNabola, 243-0554)

The Planning Division recommends that Plan Commission find the demolition standards met and **approve** the request to demolish a street-facing wall of a single-family building at 204 West Sunset Court. 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

Zoning (Contact Jacob Moskowitz, 266-4560)

1. 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.

Forestry Section (Contact Bradley Hofmann, 267-4908)

2. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following:

location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

3. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
4. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
5. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
6. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
7. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
8. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.

Water Utility (Jeff Belshaw, 261-9835)

9. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on

all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Engineering Mapping (Jeffrey Quamme, 266-4097)

10. Identify on the plans the lot numbers of and the name of the recorded Plat.
11. The site plan boundary dimensions do not match the dimensions per the survey completed by Isthmus Surveying that is in file with the Dane County Surveyor's Office. The plan shall be revised accordingly.
12. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.
13. Update street name to use the proper formatted name of W Sunset Court. West is abbreviated as it is a pre-directional.
14. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

The following agencies reviewed the request and recommended no conditions of approval: Engineering Division, Traffic Engineering, Fire Department, Parks Division, Metro Transit, and Parking Utility.