

PLANNING DIVISION STAFF REPORT

August 26, 2024



PREPARED FOR THE PLAN COMMISSION

Project Address: 3533 Lucia Crest (5th Alder District - Alder Vidaver)

Application Type: Demolition Permit

Legistar File ID # [84446](#)

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: Daniel J. Immerfall; Daniel J. Immerfall and Margaret R Immerfall 2018 Rev. Trust; 5421 Trempealeau Trail; Madison, WI 53705

Requested Action: Consideration of a demolition permit to demolish a single-family residence at 3533 Lucia Crest.

Proposal Summary: The applicant proposes to demolish a one-story, two-bedroom, 760-square-foot, single-family residence and one-stall attached garage. The City's Assessor's Office notes the residence was constructed in 1946. Upon demolition, the applicant intends to construct a new single-family residence, which is a permitted use and not before the Plan Commission.

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

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a single-family residence at 3533 Lucia Crest. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 15,867-square-foot property is located on the south side of Lucia Crest, between N Meadow Lane and N Blackhawk Avenue. It is located within Alder District 5 (Alder Vidaver) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The property is zoned Traditional Residential – Consistent 1 (TR-C1) District and is developed with a one-story, two-bedroom, 760-square-foot, single-family residence and one-stall attached garage. The City's Assessor's Office notes the residence was constructed in 1946.

Surrounding Land Use and Zoning:

North: Across Lucia Crest are single-family residences, zoned Traditional Residential – Consistent 1 (TR-C1) District;

South: City of Madison's Lucia Crest Park, zoned TR-C1;

East: Single-family residences, zoned TR-C1; and

West: Single-family residences, zoned TR-C1.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject site which is describes as up to 15 dwelling units per acre and one to two stories. The [Hoyt Park Area Joint Neighborhood Plan](#) (2014) recommends Low-Medium Density Residential development which it describes as up to 15 dwelling units per acre and composed of such types of housing as “single-family detached houses on individual lots.”

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

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

Prepared by Jacob Moskowitz, 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, all-day transit service along University Avenue, two blocks north of this property.

Project Description, Project Analysis, and Conclusion

The applicant proposes to demolish a one-story, two-bedroom, 760-square-foot, single-family residence and one-stall attached garage. The City’s Assessor’s Office notes the residence was constructed in 1946. The applicant has submitted [demolition photos](#) and, notes that the house is “*small—less than 800 square feet. The rooms are small, hallways and doorways narrow, stairs to the basement steep and winding. We have explored modifying the home and doing an addition, but have found it to be prohibitively expensive.*” Planning Division Staff has not inspected the building.

Compliance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject site which is describes as up to 15 dwelling units per acre and one to two stories. The [Hoyt Park Area Joint Neighborhood Plan](#) (2014) recommends Low-Medium Density Residential development which it describes as up to 15 dwelling units per acre and composed of such types of housing as “single-family detached houses on individual lots.”

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 communication with staff, the applicant notes that they have been working with another party to possibly relocate the structure. At the time this staff report was finalized, the

applicant notes that the prospective buyer “has visited the property and determined that the home is an appropriate size. They have selected a vendor (Heritage) and are currently working on a contract and on completing the permit process.” However, while relocation is being contemplated, the current application does not include the necessary information for staff or the Plan Commission to evaluate such a request as required by ordinance. This includes information related to the receiving property or associated route. Given the option to request referral or proceed with a demolition-only request, the applicant has indicated the desire to proceed as a demolition. A major/non-standard comment is noted indicating that a relocation application would require a new application.

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 July 1, 2024 meeting, the Landmarks Commission found that the existing building at 3533 Lucia Crest 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 this proposal.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a single-family residence at 3533 Lucia Crest. 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 Chris Wells, (608) 261-9135)

1. This approval allows for the demolition (without relocation) of the proposed structure. The relocation of the structure will require the submittal of a new application and subsequent review by City Agencies and the Plan Commission.

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

2. 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))

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

3. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

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

4. 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.

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

5. 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 or (608) 266-5959.

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

6. 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 following agency has reviewed this request and has recommended no conditions of approval:

The Planning Division; Engineering – Mapping; Traffic Engineering; Parks Division; Forestry; Metro; and Parking.