PLANNING DIVISION STAFF REPORT

November 4, 2024

PREPARED FOR THE PLAN COMMISSION

Project Address: **3441 Burke Avenue**

Application Type: Demolition Permit

Legistar File ID # 85408

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: Peter Beckett; 3441 Burke Avenue; Madison, WI 53714

Requested Action: Consideration of a demolition permit to demolish a single-family residence at 3441 Burke Avenue.

Proposal Summary: The applicant proposes to demolish a one-story, one-bedroom, 584-square-foot, single-family residence and one-stall attached garage. The City's Assessor's Office notes the residence was constructed in 1930. 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 3441 Burke Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 6,600-square-foot property is located on the south side of Burke Avenue, in between Christianson Avenue and Jacobson Avenue. It is located within Alder District 12 (Alder Latimer Burris) 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 one-story, one-bedroom, 584-square-foot, single-family residence and one-stall attached garage. The City's Assessor's Office notes the residence was constructed in 1930.

Surrounding Land Use and Zoning:

North: Across Burke Avenue are single-family residences, zoned Traditional Residential – Consistent 2 (TR-C2) District;

South: Single-family residences, zoned TR-C2;

East: Single-family residences, zoned TR-C2; and

West: Single-family residences, zoned TR-C2.

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 Northeast Area Plan (2024) also recommends Low Residential (LR) development but provides a note that, "*Low Residential may allow development up to 30 dwelling units/acre (DU/ac) and three stories.*"

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

Other Critical Zoning Items	
Yes	Utility Easements
No	Urban Design; Historic District; Floodplain; Wetlands; Wellhead Protection District; TOD Overlay; Adjacent to Park

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, one-bedroom, 584-square-foot, single-family residence and one-stall attached garage. The City's Assessor's Office notes the residence was constructed in 1930. The applicant has submitted demolition photos and in communication with Staff, notes that when the house was purchased in 2024, the intent was to repair and remodel the structure. However, major structural issues were soon discovered due in part to the fact that the crawl space under part of the building fills with water during each rain event which has resulted in the studs rotting where they contact the foundation. As a result, the applicant determined that the approach to repair and remodel was uneconomical and unsafe. 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 Northeast Area Plan (2024) also recommends Low Residential (LR) development but provides a note that, "*Low Residential may allow development up to 30 dwelling units/acre (DU/ac) and three stories.*"

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 considered relocating the building but such a course of action was ultimately determined to be both economically and physically infeasible due to the dilapidated condition of the structure (for more information about the structure's condition, please see the Project Description section, above)

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 September 9, 2024 meeting, the Landmarks Commission found that the existing building at 3441 Burke Avenue 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 3441 Burke Avenue. 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

Engineering Review Main Office (Contact Brenda Stanley, (608) 261-9127)

1. Informational Comment- Applicant will need to determine how property will be provided sanitary sewer when the property redevelops because there is no existing sanitary sewer in Burke Ave. The home's existing lateral is located below 625 Christianson Ave. On an interim basis, an engineering building permit hold will be placed on the property until the applicant determines how the property will be provided sanitary sewer. This building permit hold will not put a hold on demolition of the existing home.

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))

City Engineering Review Mapping (Contact Jeffrey Quamme, (608) 266-4097)

3. The demo site plan shall show the existing sewer and water laterals serving this parcel over and across the parcel to the west. Also, the site plan shall show and label the 10' wide Easement for Private Sewer and Water Laterals over the parcel to the west as per recorded Document No's 1240383 as corrected by 1302976. This should also be shown on the site plan for any new construction.
4. Provide a demolition plan identifying all improvements to be removed.

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

5. 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.

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

6. 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.

7. 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.

Forestry Review (Contact Jeffrey Heinecke, (608) 266-4890)

Comments from Forestry were not received by the time this Staff report was posted.

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

The Planning Division; Fire Department; Traffic Engineering; Parks Division; Metro; and Parking.