

**SUPPLEMENTAL REPORT AND REVISED RECOMMENDATION**

PLANNING UNIT REPORT  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
February 13, 2007

**ZONING MAP AMENDMENT, REZONE 2016 SUNDSTROM STREET FROM R1 DISTRICT TO R3 DISTRICT and DEMOLITION PERMIT:**

1. Requested Action: Approval of a request to rezone 2016 Sundstrom Street from the R1 Single-Family Residence District to the R3 Single-Family and Two-Family Residence District, **and** approval of a demolition permit for an existing vacant house, to allow for the construction of a duplex on this lot.
2. Applicable Regulations: Section 28.12 (9) provides the process for zoning map amendments; Section 28.04(22) of the Zoning Code provides the requirements for the approval of demolition permit applications.
3. Report Drafted By: Michael Waidelich, Principal Planner.

**GENERAL INFORMATION:**

Applicant and Owner: Hubert McKenzie, 3055 Waunona Way, Madison, Wisconsin 53713.

Please see the August 12, 2006 Planning Unit Report (Attached) for additional information.

**ANALYSIS, EVALUATION and CONCLUSION:**

This is a request to rezone the property at 2016 Sundstrom Street from the R1 Single-Family Residence District to the R3 Single-Family and Two-Family Residence District to allow construction of a new two-family residential building, and a request for a permit to demolish an existing vacant single-family house on the lot. This application was initially considered by the Plan Commission on August 21, 2006, and was referred indefinitely at that time on the recommendation of Planning Unit staff with concurrence of the applicant.

**Proposed Rezoning from R1 District to R3 District**

As described in the attached August 14, 2006, Planning Unit Report, 2016 Sundstrom Street is one of several very large parcels located along the west side of Sundstrom Street, between the street and the railroad right-of-way to the west. The property is two acres in size and provides about ten times the lot area required for a single-family dwelling under the current R1 District zoning, and also about ten times the lot area required for a duplex under the requested R3 District zoning. Although the property is clearly underutilized in the context of urban residential neighborhoods and could easily accommodate a duplex, the Planning Unit recommended that the original request for R3 District zoning be referred so that staff could explore the potential for developing a more comprehensive approach that might allow all of the very large properties west of Sundstrom Street to be utilized more efficiently for additional single-family development. (Additional description of the characteristics of this block and the potential for a more-comprehensive approach to developing this area can be found in the attached 2006 staff report and is not repeated here.)

During the fall of 2006, Planning Unit staff had individual discussions with a number of the adjacent property owners and other neighborhood residents, and has concluded that it is very unlikely that any proposed plan to provide additional street access or allow additional residential development within the interior of the large area between Sundstrom Street and the railroad could gain general neighborhood support at this time. While some residents may be less concerned, the prevailing neighborhood sentiment is that these large, private, partly wooded lots are a valuable neighborhood amenity enjoyed by all in their current state, and that additional subdivision or development would be very undesirable. This sentiment is shared by the owner of the large parcel adjacent to 2016 Sundstrom Street, for example, who indicated that she purchased the property specifically to prevent it from falling into the hands of someone who might propose additional subdivision or development on it (apparently a previous owner of the property had proposed to do this, but abandoned the idea in the face of neighborhood opposition).

As described in the August 2006 Planning Unit Report, several alternative development concepts might provide the necessary access to allow for the creation of additional building lots on the western portion of the large parcels west of Sundstrom Street; and the resulting new housing would be essentially similar to the houses elsewhere in the neighborhood---both in design and in density. However, in addition to overcoming general neighborhood opposition, actual implementation of a more comprehensive plan that would provide additional housing opportunities on these lots would require the participation of other properties in addition to the property at 2016 Sundstrom Street. Since the adjacent property owners are not interested in further subdivision or development of their properties, and in fact, are strongly opposed to the idea, the Planning Unit sees nothing to be gained from seeking to advance the concept further at this time. Whatever its potential long-term benefits might be, the concept has no chance of happening any time soon.

Given no possibility that a more comprehensive approach to allowing fuller utilization of the subject parcel at 2016 Sundstrom Street could be implemented in the foreseeable future, the applicant has asked that his original application to rezone the property to the R3 District to allow construction of a new duplex on the lot be brought back for consideration.

As noted in the August 2006 staff report, detailed site or building plans for the proposed duplex were not submitted with the application, but a general site sketch indicated a relatively large, one-story structure with garages facing the street; with the structure more-or-less centered on the front portion of the lot. There was considerable neighborhood opposition to this proposed rezoning when it was originally considered, and comments to this effect are included in the Plan Commission information packet. At least some of this opposition appeared to be partly based on assumptions about the intended occupancy, tenure, or maintenance of the proposed duplex; an assumed increased potential for future additional development; and the proposal to burn down the vacant house (no longer being proposed).

Planning Unit staff appreciate the neighborhood's concerns with construction of a duplex on a segment of Sundstrom Street currently characterized by single-family houses; and staff do not generally favor rezoning a single parcel within another zoning district. On the other hand, the neighborhood is also opposed to alternative concepts that would allow creation of new lots and additional single-family homes west of Sundstrom Street. Since more comprehensive development approaches that would allow fuller utilization of the subject parcel at 2016 Sundstrom Street have no chance of being implemented in the foreseeable future, the proposed rezoning to allow a single new duplex on this very large lot may be an acceptable alternative. As noted above, the lot is ten times the size required to support either a single-family house in the R1 District or a duplex in the R3 District, and accommodating two dwelling units rather than only one on such a large parcel is not inherently unreasonable. While the 2005 *South Madison Neighborhood Plan* includes a general recommendation of single-family development for the neighborhood, lack of support for alternatives that would allow this property to even approach its single-family development potential makes

strict interpretation of this recommendation less compelling. Recommendations in the adopted *Comprehensive Plan* encourage some interlacing of different housing types within a neighborhood when this is consistent with good neighborhood design, and the Planning Unit believes that development of a duplex on this very large lot can be supported in the present situation, with the appropriate conditions.

If the proposed rezoning from the R1 District to the R3 District to allow construction of a duplex is approved, Planning Unit staff recommend several conditions of approval to help ensure that the new development will have minimal impacts on surrounding properties and preserve long-term neighborhood development options:

- At some future time (however distant) there may be greater interest in a comprehensive approach that would allow limited additional development on the large parcels west of Sundstrom Street, and the location of the currently-proposed duplex on its lot should not unnecessarily preclude those future opportunities. The applicant has indicated that the duplex will be located on the front portion of the lot and will have a building set-back similar to the other houses along Sundstrom Street. This is good, and will help maintain a consistent appearance along the frontage. The Planning Unit also recommends that the principal building be located sufficiently off-center on the lot so that the building would still have adequate yard set-backs in the event that additional access was provided across the property at a future time. While this may be unlikely, there is more than enough width on the lot to accommodate this precaution.
- Modern duplex construction often includes two attached double-garages; and if the garages both face the street, the wide garage doors and their equally wide driveways can dominate the building facade and the streetscape along that segment of the frontage. To avoid this effect, the Planning Unit recommends that the garage for at least one of the duplex units be designed so that it is not on the front facade of the building and does not face Sundstrom Street; and that the garages for the two units have separate driveways. The Planning Unit also encourages the applicant to design the building so that attached garage elements do not extend closer to the street than the main facade of the house.
- The proposed rezoning from R1 District to R3 District can be supported as a way to allow limited additional development on this very large lot in the absence of an expectation that the alternative of creating additional building lots in the interior of this block could be implemented in the foreseeable future. If approved, the R3 District rezoning is intended to allow development of one duplex on this one lot; and is not intended to be a recommendation that this property be further subdivided, or if it were subdivided, that any new lots created should necessarily be developed with duplex units. If any additional subdivision of this property is proposed in the future, both the proposed subdivision and the appropriate land use and zoning classification for the lots created should be evaluated on their merits at that time.

#### Proposed Demolition of the Existing Vacant House

No condition report on the existing building proposed for demolition was submitted with the application, but photographs of the house indicate a small older dwelling in very poor condition. The structure is currently vacant and boarded up; the utilities have been disconnected; and the meters have been removed. Apparently, break-ins and vandalism have been recurring problems. The original application for a demolition permit for this structure offered it to the Madison Fire Department for training purposes. However, due to concerns expressed at the Plan Commission public hearing at that time, the applicant now intends to raze the house and haul away the debris rather than have it burned down by the Fire Department.

Although condition details were not submitted, the existing vacant house is clearly in marginal condition, and replacing it with a new two-unit dwelling rather than trying to rehabilitate it appears reasonable. Planning Unit staff are not opposed to demolishing the existing house. The applicant has submitted a letter indicating that there is nothing in this structure worth salvaging, but the concurrence of the City Recycling Coordinator, or his approval of an alternative recycling plan, will be required prior to issuing the demolition permit.

The standards for approval of a demolition permit also include consideration of the proposed alternative use of the property. Note that if the Plan Commission does not recommend approval of the proposed R3 District zoning, the alternative use of the property would remain uncertain at this time.

### **RECOMMENDATIONS:**

If after considering written comments and the testimony at the public hearing, the Plan Commission is comfortable that allowing construction of a single new duplex on this two-acre lot is a reasonable alternative given the lack of interest or support for more comprehensive development concepts for allowing additional development on the lots west of Sundstrom Street, the Planning Unit recommends that the request to rezone the property at 2016 Sundstrom Street from the R1 Single-Family Residence District to the R3 Single-Family and Two-Family Residence District be forwarded to the Common Council with a recommendation of **approval**, subject to:

1. Comments of the reviewing agencies.
2. The location of the principal building (the duplex) on the lot shall maintain the flexibility to consider the future provision of additional access westward across the lot. This is a precaution to maintain long-term options, and no additional access is currently proposed or anticipated.
3. The attached garage for at least one of the duplex units shall not be located on the front facade of the building, and its garage door shall not face Sundstrom Street. The garages for each unit shall have separate driveways. The applicant is encouraged to design the building so that attached garage elements do not extend closer to the street than the main facade of the house.
4. Site and building plans for the duplex shall be reviewed and approved by Planning Unit staff for compliance with Condition Nos. 3 and 4 prior to issuing a building permit.
5. The rezoning is intended only to allow construction of one duplex on this one existing lot. If a proposal to further subdivide this property is made at some future time, the appropriate land use and zoning classification for any new lots will be considered along with consideration of the subdivision proposal.

The Planning Unit recommends **approval** of the permit to demolish the existing single-family house located at 2016 Sundstrom Street, subject to:

1. Comments of the reviewing agencies.
2. The structure shall not be burned.
3. A recycling plan shall be approved by the City of Madison Recycling Coordinator.

January 12, 2007

Hubert McKenzie  
3055 Waunona Way  
Madison, WI 53713  
608-221-1074

City planning  
215 MLK Jr. Blvd  
Madison, WI 53701

I am Hubert McKenzie and I own the property located at 2016 Sundstrom St. in the City of Madison. I have been working with Mr. Michael Waidelich on trying to find a solution for the best use for this property. He and I discussed some alternative solutions and finally determined that the R3 rezoning was the best course of action.

Back in September 2006, this matter was referred (2016 Sundstrom St.) and now I am requesting that you bring the R3 rezoning, Duplex Construction, and demolition of the existing building back to the table. The existing structure will be torn down, not burned as initially requested.

Thank you

Hubert McKenzie



February 9, 2007

Hubert McKenzie  
3055 Waunona Way  
Madison, WI 53713  
221-1074

City Planning  
215 MLK Jr. Blvd  
Madison, WI 53701

Re:Demolition recycling plan

The building located at 2016 Sundstrom St. is a total of 560 square feet and was constructed in the late 1920's or early 1930's. This building is about 75 years old and there is nothing worth recycling. My plan is to have it demolished and hauled away, basement and all. If you have any questions, you can reach me at 221-1074. Thank you.

Hubert McKenzie/Owner



**Waidelich, Michael**

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**From:** Jan Karst [jkarst@rsvpdane.org]**Sent:** Monday, February 12, 2007 9:44 AM**To:** Waidelich, Michael

Dear Mr. Waidelich; I am writing to you as a concerned neighbor on Sundstrom St. just down from 2016 Sundstrom where a Mr. Hubert McKenzie is proposing to build a couple condos and garages. I understand that his intent to burn down the property (a very poor idea in a residential neighborhood) is now shelved and he intends to take it down by other means. The green space that exists and is privately owned by our neighbors is a very important space in our community. It is home to many, many birds and animals that are important to this environment. It is not "wasted" space as a city official referred to it. It is our home and our neighborhood and we love it. The city has tried for years to take our space and will continue to be met with an outraged neighborhood who intends to protect it at all costs. Sticking in more and more houses and using up more and more green space in the name of progress is a huge mistake. We are not interested in increasing the population, the traffic, and the noise in our neighborhood. The south side has always gotten dumped on. The city seems to think places where there is a higher rate of low income residents don't have to be respected and they can do whatever they think will be most lucrative to people who have no interest in our neighbors or our neighborhood but plenty of interest in making a buck off of anyone's back. Had Mr. McKenzie approached our neighborhood and proposed to build a one family house on that property, he would have been met with approval. That corner is already a hazard due to the traffic and congestion from the multiple trucks and cars which Mr. McKenzie's friend, who lives across the street on the corner, has all over the street and his yard. Now he is parking more of them on the property Mr. McKenzie owns and that whole corner is looking like a salvage yard. No one here wants that. We do not want more garages and more cars and more people. Furthermore, most of our neighbors have not even been receiving your notices but, because we have a very active neighborhood communication system, we are letting everyone know when one neighbor receives notices. I am very disappointed that Mr. McKenzie did not approach this in a more appropriate and considerate manner and that the city officials have not shown any concern for our neighborhood, our quality of life, or our thoughts about our community and environment. God forbid, this kind of sloppy, inconsiderate plan be tried in an upscale west side neighborhood. This is our HOME. We live here and, inspite of the fact that a lot of us live on less, we do have a right to have some say about our neighborhood and our environment. I am under the impression that Mr. McKenzie does not even intend to live on the property. So why would he even care about the home owers who do live there and have lived there for 40 years. Please – don't sell our neighborhood out to people who only see it as a way to make money and not as a wonderful place to LIVE.

## Timothy Parks

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**From:** pia kj [piakj24@hotmail.com]  
**Sent:** Monday, August 21, 2006 10:41 AM  
**To:** Timothy Parks  
**Subject:** 2016 Sundstrom St. ReZoning

Aug. 21, 2006

I received a notice in the mail regarding the rezoning plans from R1 to R3 at the 2016 Sundstrom Street address.

I spoke to Tim Parks today who answered my questions about the new rezoning.

I support the rezone to the R3 area, for the purpose of revitalizing the community. I'm also hoping to see more improvements within my neighborhood.

I appreciate being able to give my input.

Sincerely, Pia Kinney James

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Wednesday, August 02, 2006

Planning and Development  
Plan Commission  
215 Martin Luther King Jr. Blvd.  
P.O. Box 2985  
Madison, WI 53701-2985



Jeffrey Thies  
205 Koster Street  
Madison, WI 53713  
608-294-9144  
[jeffthies@hotmail.com](mailto:jeffthies@hotmail.com)

RE: DEMOLITION AND REZONING OF 2016 SUNDSTROM STREET

To Whom It May Concern:

As a resident in the growing neighborhood near the above address, I have strong concerns about both the controlled burn requested by the property owner, and a larger concern regarding the request for re-zoning.

I have lived in my house at 205 Koster Street since November of 2001. Since that time, I personally have invested approximately \$49,000 in a massive kitchen, bathroom and house remodel, and I have seen many neighbors improving their lots and property as well. In my opinion, the neighborhood I live in is rife with young families and people who care enough to maintain their property and improve it regularly.

I feel that these people are looking to build a solid nice lower middle class to middle class neighborhood, with a strong sense of community, and a desire to upkeep and upgrade the neighborhood as they are able, myself included.

As difficult as it was for me to get a final building inspection approval on my remodel, I expect that the same stringent evaluation would be devised for a "controlled burn" request. I would hope and expect the Fire Department to carefully consider choosing this method to remove the material on the property. It seems to me that this method would have greater environmental impact than any other choice. I place my trust in the Fire Department representation to make the best choice for the city and the environment regarding the controlled burn request.

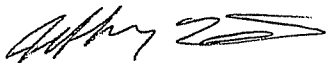
My concern regarding the re-zoning request of the owner of 2016 Sundstrom Street is two-fold. The first reason for my opposition of the re-zoning is that as the neighborhood is developing and is primarily owned by people who do not have sufficient funds to quickly upgrade their property, it takes time and careful management of what resources are available to maintain and improve existing properties. If the city were to re-zone the area, I believe there will be fewer people interested in upkeep and improvement of their own property, and more swayed by a lucrative buyout from someone who would demolish and rebuild more profitable multi-housing units. If this trend were to continue, the tenuous hold of small family houses would start to disappear, to be replaced by apartments, duplexes, condominiums, and other group housing units.

My second concern regarding the re-zoning request is rental versus ownership. The impact on the value of houses in the area will decrease with rental property close by. The value of rental property goes down more quickly due to wear and tear of constant transition of renters. Do we need to have more rental property in this area? Just three blocks from this address, there are apartment complexes which are constantly looking for renters.

I feel that the recent addition of the public swimming pool near the above address, as well as continued interest in keeping the area clean from negative influences strengthened this area to remain housing, not rented area.

In summary, I like my neighborhood. It is constantly striving to improve and better itself in ways it can. I don't want it to change adversely, and feel the re-zoning would quickly and detrimentally change the face of the neighborhood. We are already surrounded by some areas which are not doing as well. Why take this small nice neighborhood of proud homeowners and turn it into another rental area?

Respectfully,



Jeffrey Thies  
Homeowner  
205 Koster Street  
Madison, WI 53713

## Michael Waidelich

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**From:** Mike Olson [mike\_dfo@yahoo.com]  
**Sent:** Monday, July 24, 2006 10:34 AM  
**To:** Michael Waidelich  
**Subject:** rezoning of 2016 Sundstrom St.

**Follow Up Flag:** Follow up  
**Flag Status:** Red

Hello Michael

I was writing you in regards to the proposed rezoning of 2016 Sundstrom St. As a neighbor (226 Koster St) I would like to voice my concern with this project. Along with many of my fellow neighbors I would like to see this neighborhood stay single family zoned (R-1).

Thanks for your time.

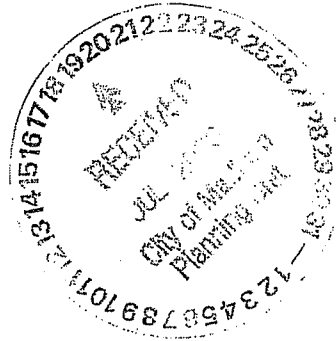
Regards  
Michael Olson  
226 Koster St.  
608-438-9094

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Barbara Gilligan  
2009 Sundstrom St  
Madison, WI 53713

July 18, 2006



Planning Commission  
PO Box 2985  
Madison WI 53701-2925

Re: Rezoning Request for 2016 Sundstrom St.

Planning Commissioners;

I live at 2009 Sundstrom St, directly across the street from 2016 Sundstrom, the property proposed to be rezoned to R3. I am opposed to the rezoning. Sundstrom Street is a quiet single-family residential area with predominantly smaller, modestly priced houses. It is also a beautiful older area with mature trees and green space. Those are the qualities that attracted me to buy my house 10 years ago, and I plan to live there for the long term.

During the South Madison Redevelopment Planning sessions, it was stated that South Madison has a disproportionately large amount of high-density housing. The plans the city presented for our neighborhood at that time stressed the need for more single family, *owner occupied* housing. The Capitol View Heights/Hammersley Heights neighborhood already contains enough rental properties including the Capitol View Heights apartment complex and Sunnymede Lane that is all apartment building, not to mention the unusually high density Mobile Home Park. As one of the few single-family residential areas in the high density South side of Madison, I ask that the commission deny this application for rezoning.

The building of a very large rental duplex (each unit is half again as large as my house, not even including the 4 car garage) across the street from me will make my home less desirable and reduce it's real market value. Although any demolition and construction at 2016 Sundstrom will be disruptive to me, I recognize the reality that the old house must go and a new building constructed. Maintaining the R1 zoning increases the likelihood of owner-occupation, and neighbors who will preserve the good qualities and add value to our neighborhood.

The applicant makes that claim that the proposed duplex will be owner occupied, but HE does not intent to live there. In private conversation he admits that his *ex-wife* and 17-year-old son will occupy one unit as long as he is required to provide them housing. My neighbors and I own our homes because we want to *live here*, whereas, I believe Mr. McKenzie views this land as a way to make a profit. I believe that *if* this parcel is rezoned to R3 we will be on a slippery slope to destroying the neighborhood that I love. I would not be at all surprised that a few years from now, you receive a request to subdivide the parcel so that 2 or more additional duplexes can be built behind the first one.

Mr. McKenzie knew that the property was zoned R1 when he purchased it in a private deal in 2005. He should honor the wishes of the neighborhood to maintain the zoning as it is, and build one nice single family home.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Gilligan". The signature is written in black ink and is positioned below the word "Sincerely,".

Barbara Gilligan



Page 2

We Are Against the ReZoning From A  
R1 Single Family Home to A R-3  
Multiply Family AT 2016 Sundstrom Street.

<u>DATE</u>	<u>NAME</u>	<u>Address</u>
July 22, 2006	David A. Davis	210 Koster St.
7/22/06	Jeff Thies	205 Koster St.
7/23/06	Tom DiSalvo	2028 SUNDRUM ST
7/22/06	Lilya DiSalvo	2028 Sundrum St.
7/23/06	Mary DiSalvo	2060 Sundstrom St
7/23/06	Gregg Muhlend	2049 Sundstrom St. Madison, 53713
7/23/06	Katherine Noel	200 Nygaard St. Madison, WI 53713
7/23/06	Dra Hoff	220 Nygaard St
7-23-06	M. Hoff	820 NYGAARD ST