

## PLANNING DIVISION STAFF REPORT

June 5, 2017

PREPARED FOR THE PLAN COMMISSION



**Project Address:** 2271 E. Washington Avenue (6<sup>th</sup> Aldermanic District, Alder Rummel)  
**Application Type:** Demolition Permit  
**Legistar File ID #:** [46965](#)  
**Prepared By:** Chris Wells, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

### Summary

**Applicant & Owner:** Gregory Werth; 2269 E. Washington Ave; Madison, WI 53704

**Requested Action:** Approval of a demolition permit to raze a single-family residence and construct a new single-family residence at 2271 E. Washington Avenue.

**Proposal Summary:** The applicant proposes to demolish a single-family residence and construct a new single-family residence.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Demolition Permits (MGO §28.185).

**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 for a demolition permit to raze a single-family residence and construct a new single-family residence at 2271 E. Washington Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

### Background Information

**Parcel Location:** The subject parcel is located on the south side of E. Washington Avenue, between S. 4<sup>th</sup> Street and S. 5<sup>th</sup> Street; in Aldermanic District 6 (Rummel); and in the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The 3,630-square-foot (0.08-acre) site is developed with a one-story, 250-square-foot single-family residence at the rear of the site. It has fallen into disrepair and suffers from rot and mold. The parcel is zoned Traditional Residential – Varied 1 (TR-V1) District.

#### Surrounding Land Use and Zoning:

**North:** Across E. Washington Ave. are single-family residences, zoned Traditional Residential – Varied 1 (TR-V1) District;

**East:** A two-unit, two-story duplex, zoned TR-V1 District;

**South:** Single-family residences, zoned TR-V1 District; and a commercial building used by the Sons of Norway Organization, zoned Neighborhood Mixed-Use (NMX) District; and

**West:** Single-family residences, zoned TR-V1.

**Adopted Land Use Plan:** The [Comprehensive Plan \(2006\)](#) recommends Low-Density Residential (0-15 units/acre). The [Marquette-Schenk-Atwood Neighborhood Plan \(1994\)](#), while not providing a specific recommendation for the subject site, does include as one of its major housing objectives: “Preserving, Maintaining and Renovating Existing Residential Housing Stock.”

**Zoning Summary:** The property is in the Traditional Residential – Varied 1 (TR-V1) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	3,630 sq. ft.
Lot Width	30'	33'
Front Yard Setback	20'	20' (See Condition #7)
Max. Front Yard Setback	30' or up to 20% greater than block average	20'
Side Yard Setback	Lot width < 50': 10% of lot width	3' 4" Northeast 9' 8" Southwest
Side Yard Setback: Accessory Building	3'	3'
Rear Yard Setback	Lesser of 25% lot depth or 25'	35'
Rear Yard Setback: Accessory Building	3'	3'
Usable Open Space	500 sq. ft.	Adequate (See Condition #8)
Maximum Lot Coverage	70%	62%
Maximum Building Height	2 stories/ 35'	2 stories (See Condition #9)
Maximum Accessory Building Height	15'	Less than 15' (See Condition #10)
Number Parking Stalls	1 (location only)	Detached garage
Building Forms	Yes	Single-family detached building (See Condition #11)
<b>Other Critical Zoning Items</b>	Utility Easements	

*Table 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 range of urban services. All day Metro access is located roughly 300 feet to the northeast at the intersection of E. Washington Avenue and N. 6<sup>th</sup> Street.

## Project Description, Analysis, and Conclusion

The applicant proposes to demolish the site's principal building, a non-conforming and dilapidated, roughly 250-square-foot, single-family residence, in order to construct a single-family residence. As this will require a demolition permit, the proposal is subject to the approval standards for demolitions (MGO §28.185). Staff notes that a single-family home is a permitted use and no conditional use approval is sought.

Upon completion of the project, the resulting two-story, 1,600-square-foot, single-family residence would include three bedrooms and two-and-a-half bathrooms. The home includes a porch at the front and a covered porch (with a balcony above) at the rear of the residence. The proposed development also includes a detached one-car garage located at the south corner of the site and will be accessed by a driveway located

along the southwestern lot line. While not labeled on the plans, the applicant has clarified that the main residence and garage will both be clad with dark grey vinyl siding - horizontal lap siding for the first level (or the entire garage) and a shake siding for the second. The residence's partially-exposed foundation will be concrete, while the portion supporting the front porch will be a red brick.

In order to approve a demolition request, 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 TR-V1 Zoning District. (A copy of the statement of purpose is provided as Attachment 1). The purpose of the Demolition 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, and allow the property owner to have a decision on approval or disapproval of the proposed use of the property before he or she takes the irrevocable step of demolishing or moving the buildings.

The standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. The demolition standards also state that the proposed use should be compatible with adopted plans. A summary of Plan Recommendations is included above and the Planning Division believes that the proposal can be found consistent with those recommendations.

Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. The City's Historic Preservation Planner, in her demolition staff report dated May 30, 2017, stated: *"On behalf of the Landmarks Commission, the Preservation Planner determined that there is no known historic value attributed to the existing building at 2271 E Washington."*

Staff believes that the demolition standards are met with this proposal. As stated above, no concerns about the demolition of the existing building have been raised by the City's Historic Preservation Planner or others. Relocation of the building is not believed to be practical. Finally, the proposed building can be found to be generally consistent with the [Comprehensive Plan \(2006\)](#) which recommends Low-Density Residential (0-15 units per acre) as well as with the [Marquette-Schenk-Atwood Neighborhood Plan \(1994\)](#), which, while not providing a specific recommendation for the subject site, does include as one of its major housing objectives: "Preserving, Maintaining and Renovating Existing Residential Housing Stock."

At the time of report writing, staff was not aware of any public comments on this item.

## Recommendation

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

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request for a demolition permit to raze a single-family residence and construct a new single-family residence at 2271 E. Washington Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

## **Recommended Conditions of Approval**

Major/Non-Standard Conditions are Shaded
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### **City Engineering Division Review** (Contact Brenda Stanley, (608) 261-9127)

1. 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))
2. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
3. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5 and MGO 23.01)

### **Zoning Review** (Contact Jenny Kirchgatter, (608) 266-4429)

4. 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).
5. Section 28.185(10) 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.
6. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
7. Show the front yard setback as measured to the front exterior wall. The front yard setback in the TR-V1 Zoning district is a minimum of 20 feet. An open porch may extend a maximum of 7 feet into the front yard setback.
8. Identify the qualifying usable open space area on the site plan. A minimum of 500 sq. ft. of useable open space is required. Usable open space shall be at ground level in a compact area of not less than two hundred (200) square feet, with no dimension less than six (6) feet and no slope grade greater than ten percent (10%). Usable open space shall be located outside of the required front yard. Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than five (5) feet, and pervious pavement may be included as usable open space.

9. Show the height of the proposed single-family residence on the elevations. The maximum height is 35 feet. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual façade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district.
10. Show the height of the proposed detached garage on the elevations. The maximum height is fifteen (15) feet. Height is measured from the average elevation of the approved grade at the front of the building to the midpoint of the ridge of a gable roof. The average height shall be calculated by using the highest ridge and its attendant eave. The eave point used shall be where the roof line crosses the side wall.
11. Label the proposed building materials on the elevations.

**Fire Review** (Contact William Sullivan, (608) 261-9658)

12. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>
13. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Captain Jerry Buechner at [jbuechner@cityofmadison.com](mailto:jbuechner@cityofmadison.com) or (608) 516-9195.

**Water Utility Review** (Contact Adam Wiederhoeft, (608) 266-9121)

14. 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 for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.
15. 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.

## **ATTACHMENT 1**

### **28.046 TRADITIONAL RESIDENTIAL - VARIED DISTRICTS.**

#### **1) Statement of Purpose.**

The TR-V Districts are established to stabilize, protect and encourage throughout the City the essential characteristics of mature residential areas and to accommodate a full range of life-cycle housing while encouraging a suitable environment for family life. The districts are also intended to:

- (a) Promote the preservation, development and redevelopment of traditional residential neighborhoods in a manner consistent with their distinct form and residential character.
- (b) 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.
- (c) Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner.
- (d) 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.
- (e) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.