



PREPARED FOR THE PLAN COMMISSION

Project Address: 6226 N Highlands Avenue
Application Type: Demolition Permit
Legistar File ID # [56799](#)
Prepared By: Mai Xue Vang and Tim Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant: Paul Cuta, CaS4 Architecture, LLC; 4414 Regent Street, Suite 102; Madison.

Property Owner: David and Jennifer Stein, Stein Revocable Trust; 6218 S. Highlands Avenue; Madison.

Requested Action: Approval of a demolition permit to demolish a single-family residence at 6226 N. Highlands Avenue and construct a new single-family residence.

Proposal Summary: The applicant and property owner are requesting approval to demolish a split-level one-story single-family residence and construct a new two-story single-family residence on the property. Demolition will commence as soon as all regulatory approvals have been granted, with completion anticipated in June 2020.

Applicable Regulations & Standards: Section 28.185 provides the process and standards for the approval of demolition and removal permits.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow a single-family residence at 6226 N. Highlands Avenue to be demolished and a new residence to be constructed, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Parcel Location: An approximately one-acre parcel located on the north side of N. Highlands Avenue, a half-mile west of Old Middleton Road and near the intersection of N. Highlands Avenue, S. Highlands Avenue, W. Skyline Drive and E. Skyline Drive; Aldermanic District 19 (Furman); Madison Metropolitan School District.

Existing Conditions and Land Use: Single-family residence, zoned TR-R (Traditional Residential–Rustic District).

Surrounding Land Uses and Zoning: The subject site is surrounded on the east and south by other single-family residences in The Highlands subdivision, zoned TR-R (Traditional Residential–Rustic District), and on the west by single-family residences in the Skyview Terrace subdivision, zoned SR-C1 (Suburban Residential–Consistent 1 District). Skyview Park is located to the northeast of the site in SR-C1 zoning.

Adopted Land Use Plans: The 2018 [Comprehensive Plan](#) identifies the subject site and surrounding properties to the west, south and east for Low Residential uses for this subject parcel, defined as 0 to 15 dwelling units per acre. The nearby park is recommended for Park and Open Space use. There is not currently an adopted neighborhood

plan that includes the subject site and nearby properties. The subject site is not within any neighborhood plan areas.

Zoning Summary: The subject property is zoned TR-R (Traditional Residential–Rustic District).

Requirements	Required	Proposed
Lot Area (sq. ft.)	0.6 acres (26,136 sq. ft.)	46,800 sq. ft.
Lot Width	65'	More than 65'
Front Yard Setback	50'	52' 11"
Side Yard Setback	30'	Adequate (See conditions)
Rear Yard Setback	40'	Adequate
Maximum Lot Coverage	15%	Less than 15%
Maximum Building Height	3 stories/ 40'	2 stories/ 38' 4"
Number Parking Stalls	1 (location only)	Attached garage (See conditions)
Landscaping and Screening	Not required	Yes
Building Forms	Single-family detached dwelling	Will comply
Other Critical Zoning Items: Utility Easements		
<i>Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator</i>		

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

Public Utilities and Services: The subject site is served by a full range of urban services.

Project Description

The applicants are seeking Plan Commission approval for a demolition permit to demolish an existing single-family residence at 6226 N Highlands Avenue to replace it with a new two-story single-family residence. According to the City records, the existing house is a one-story, 1,988-square-foot single-family home with four bedrooms with two bathrooms built in 1966. Under the previous owner, the letter of intent indicates that the existing residence fell into “extensive despair, resulting in damage to its structure, finishes, fenestration, exterior cladding, and obsolete systems.” The applicants indicate that the current structure also presents “design challenges” that suggest that replacement of the residence is warranted. The applicants have provided [photos](#) documenting the condition of the house, which are included in the Plan Commission materials. Staff has not physically inspected the property.

The proposed single-family residence will be a two-story structure with 7,372-square-foot of floor area on three levels. The first floor of the residence will contain 2,709 square feet of finished interior space. The second floor above grade will contain 1,175 square feet of finished floor area, while the lower level will contain 2,627 square feet of finished floor area and a three-car attached garage off the western side wall. The interior room layout of the new residence is depicted on the floorplans included with the application materials. Exterior materials for the proposed single-family residence consist of combination of native Wisconsin limestone, stone, painted clapboard siding, glass, standing seam metal, bluestone pavers, and a pitched, asphalt shingled roof. According to the letter of intent, the applicants intend to remove invasive species, undergrowth and trees such as ash and landscape the site with native species.

Analysis and Conclusion

This request is subject to the standards for demolition permits. In order to approve a demolition request, MGO §28.185(7) requires that the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section and the intent and purpose of the Traditional Residential – Rustic (TR-R) zoning districts. The statement of purpose for TR-R districts says, in part:

The TR-R District is established to stabilize and protect the natural beauty, historic character and park-like setting of certain heavily wooded low-density residential neighborhoods. The district is also intended to promote the preservation of the neighborhood's historic buildings, tree cover and landscape plan. This district is not intended for use in new development.

The Planning Division believes that the proposed demolition and new single-family residence can meet the standards of approval for demolition permits. The existing residence appears to be in poor condition given the information provided by the applicants. Staff believes that the proposed residence should fit well within the diverse housing stock present throughout the Highlands, which features a mix of housing styles and building sizes on large, rustic parcels, and does not believe that the proposed alternative use of the subject site will have an adverse impact on the normal and orderly development of surrounding properties.

The Landmarks Commission informally reviewed the demolition of the existing house at 6226 N Highlands Avenue at its July 8, 2019 meeting. The Commission found that the existing building “had historic value related to the vernacular context of Madison’s built environment, or as the work/product of an architect of note. However, the building itself is not historically, architecturally, or culturally significant.”

At the time of report writing, Staff had not received any public comment on this proposal.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow a single-family residence at 6226 N. Highlands Avenue to be demolished and a new residence to be constructed subject to input at the public hearing and the following conditions:

Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Tim Troester, 267-1995)

1. This project has a stormwater easement and pipe along the west side of the property. The proposed driveway encroaches on that easement and as this easement serves as an overflow path and maintenance of the pipe may be needed. A new easement shall be recorded with this development and a consent to occupy shall be recorded for the drive and the plans shall be modified to show this drive and the home are sufficiently elevated to be protective during the 500-year storm event.

2. 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.
3. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
4. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.
5. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department of Natural Resources (WDNR) in order to comply with TMDL limits.
6. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number: a) Building Footprints; b) Internal Walkway Areas; c) Internal Site Parking Areas; d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Private on-site sanitary sewer utilities (including all connections to public sanitary); k) Private on-site storm sewer utilities (including all connections to public storm). All other levels (contours, elevations, etc) are not to be included with this file submittal. NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.
7. For commercial sites less than one (1) acre in disturbance, the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
8. The applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

9. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until a reuse and recycling plan is approved by the Recycling Coordinator. 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. Per Section 28.185(9)(a), a demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
10. Show the side yard setback distances as measured to the side property lines. The required side yard setback is a minimum of 30 feet.
11. Relocate the porous paver parking area outside of the 50-foot required front yard setback. Parking is not permitted within the front yard setback except on a driveway meeting the standards of Section 28.141(9) Residential Driveway Design and Location. Parking spaces may be located within an interior side yard setback, a rear yard setback, or the building envelope.
12. Relocate the driveway so that it is oriented perpendicular to the street. Driveways shall be oriented in a perpendicular fashion to the street from which they take access and shall cross required setbacks in a perpendicular fashion, to the extent feasible.

Fire Department (Contact Bill Sullivan, 261-9658)

13. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition.
14. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact Division Chief Tracy Burrus of the Training Division to discuss this possibility at 266- 5959 or tburrus@cityofmadison.com.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

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.
16. 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 and Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. 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.

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

17. The Driveway and Retaining Wall that encroaches into the Public Easement used for public storm water drainage and storm sewer over the westerly 35 feet of this lot requires approval by City of Madison Storm Water Engineers. Upon the approval of any encroaching improvements, applicant shall provide a map exhibit of the encroaching improvements and administrative fees required to Jeff Quamme (jrquamme@cityofmadison.com) to set up and administer a Consent to Occupy Easement Agreement for the encroaching improvements.

Parks Division (Contact Sarah Lerner, 261-4281)

This agency reviewed this request and has recommended no conditions or approval.

Parks Division – Forestry Section (Contact Brad Hofmann, 267-4908)

This agency reviewed this request and has recommended no conditions or approval.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency reviewed this request and has recommended no conditions or approval.