



PREPARED FOR THE PLAN COMMISSION

Project Address: 5825 Cottage Grove Road (District 15 – Alder Tierney)
Application Type: Demolition Permit
Legistar File ID # [59523](#)
Prepared By: Sydney Prusak, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Sister M Sophy Ann Rivera; Schoenstatt Sisters of Mary; 5901 Cottage Grove Road; Madison, WI 53718
Contact: Robert Arntz; 1300 Centennial Parkway; Waunakee, WI 53597
Property Owner: Schoenstatt Sisters of Mary – Sister M. Catherine Ditto; W-284 N404 Cherry Lane; Waukesha, WI 53188

Requested Action: The applicant requests approval of a demolition permit to raze a two-family residence to create open space for a convent located at 5825 Cottage Grove Road.

Proposal Summary: The applicant proposes to demolish a one-story, two-family residence to create open space for a convent located at 5825 Cottage Grove Road.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal Permits [M.G.O. §28.185(7)].

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for demolition and removal are met and **approve** the request to raze a two-family residence to create open space for an existing convent in the Agricultural (A) Zoning District at 5825 Cottage Grove Road. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 36,443-square-foot (approximately 0.84-acre) subject property is located on the south side of Cottage Grove Road between the I-90 intersection and North Star Drive. It is located immediately adjacent to a 3,313,459-square-foot site (76 acre) parcel, where the convent is located. The site is within Aldermanic District 16 (Ald. Tierney) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes a 4,992-square-foot, one-story, two-family residence, originally constructed in 1985. It contains five-bedrooms and four bathrooms.

Surrounding Land Use and Zoning:

North: A variety of commercial uses across Cottage Grove Road, with residential beyond, all zoned Planned Development (PD);

East: Additional convent property, zoned Agriculture (A) with single-family residences, zoned Suburban Residential – Consistent 1 (SR-C1) beyond;

South: Additional convent property, zoned A; and

West: Single-family residences recently approved for demolition ([Leigstar #56542](#) & [Legistar #56543](#)), zoned A and Neighborhood Mixed Use (NMX). Two single-family residences remain, zoned A and Suburban Residential – Consistent 1 (SR-C1).

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Medium Residential (20-90 dwelling units/acre) for the subject parcel. The [Cottage Grove Neighborhood Development Plan \(1992\)](#) recommends Low-Medium Density residential for the subject parcel, but calls for the larger Schoenstatt property to continue as an Institutional use.

Zoning Summary: The property is zoned Agriculture (A).

Requirements	Required	Proposed (incl. 5901 Cottage Grove Road)
Lot Area (sq. ft.)	10 acres	76 acres
Lot Width	300 ft.	1,095 ft.

Other Critical Zoning Items	Utility Easements
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Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located in a mapped environmental corridor.

Public Utilities and Services: This property is served by urban services, with limited Metro Transit service. Route 33 operates every half hour on weekdays and does on operate on the weekends.

Project Description, Analysis, and Conclusion

The applicant requests Plan Commission approval for a demolition permit. The applicant proposes to demolish a two-family residence located at 5825 Cottage Grove Road. The structure proposed for demolition is a one-story, 4,992 square-foot two-family residence with a total of five bedrooms and four bathrooms. Photos of the structure are available under the legislative file and are linked [here](#).

The Cottage Grove Road reconstruction plan calls for the relocation of the existing driveway to the convent. According to the applicant, Catholic Charities previously rented the residence as a duplex for people with mental disabilities. The applicant believes that relocating the driveway closer to the existing residence will lead to an increase in vehicular activity and disrupt the quiet tranquility of the home. Therefore, the applicant requests approval of a demolition permit for the duplex, and plans to convert the land into additional open space to serve the convent.

This request is subject to the standards for demolition and removal permits. In order to approve a demolition request, MGO §28.185(7) requires that the Plan Commission find that the requested demolition and proposed use are compatible with the purpose of the demolition section and the intent and purpose of the Agriculture (A) Zoning District. The statement of purpose for A districts says, in part:

Agricultural areas are characterized by active farming operations and associated fields, meadows, woodlots and other natural features. Agriculture and other natural rural land uses also continue to predominate within many areas planned, but not developed, for urban uses. These may include

large areas that are recommended in adopted City plans to continue in long-term agriculture uses, while urban areas grow around them.

The purpose of the district is to support the continuance of agriculture and rural character within outlying agricultural areas. In addition, the A district is intended to support local food production and community health by encouraging community and market gardens and other small-scale agricultural operations within city limits.

Furthermore, the demolition 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. Additionally, the proposal should be compatible with adopted plans. 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 [Comprehensive Plan](#) (2018) recommends Medium Residential uses for the subject parcel. Medium Residential areas may include a variety of relatively intense housing types, including rowhouses, small multi-family buildings, and large multi-family buildings. The [Cottage Grove Neighborhood Development Plan \(1992\)](#) calls for Low-Medium residential uses for the subject site. Both plans call for the continued Institutional use of the adjacent Schoenstatt convent property. At their February 17, 2020 meeting, the Landmarks Commission recommended to the Plan Commission that the building has no known historic value.

While additional dwelling units are not proposed to replace the existing two-family residence, given the context of the neighborhood and adjacency to the rest of the Schoenstatt property, the Planning Division believes that the applicable demolition approval standards can be found met. Furthermore, Staff does not believe that the additional open space on the convent property will impede the normal and orderly development of the Cottage Grove Neighborhood Development Area.

At the time of report writing, staff did not receive any comments from the public on this request.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the standards for demolition and removal are met and **approve** the request to demolish a two-family residence to create additional open space for a convent at 5825 Cottage Grove Road. 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 Division (Contact Brenda Stanley, (608) 261-9127)

1. Provide proof of septic system abandonment from Public Health – Madison and Dane County as a condition of plan approval. Septic System abandonment application is available online at:

<http://www.publichealthmdc.com/environment/septage/>

2. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
3. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com , or Daniel Olivares (east) at daolivares@cityofmadison.com , for approval. The permit application can be found on City Engineering's website at: <http://www.cityofmadison.com/engineering/Permits.cfm>
4. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
5. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

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

6. 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).
7. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
8. 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.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

9. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Paul Ripp at pripp@cityofmadison.com or (608) 712-6277.

City Forestry (Contact Brad Hofmann, (608) 267-4908)

10. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester prior to the approval of the site plan.
11. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in

section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

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

13. 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.

14. 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.