

PLANNING DIVISION STAFF REPORT

May 18, 2020



PREPARED FOR THE PLAN COMMISSION

Project Address: 4417 Hillcrest Drive (11th Aldermanic District, Alder Martin)
Application Type: Demolition Permit
Legistar File ID # [60165](#)
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: Brandon Cook; John Fountain, Inc.; 465 N. Baldwin Street; Madison, WI 53703

Contact: Jim Glueck; Glueck Architects; 116 N. Few Street; Madison, WI 53703

Requested Action: The applicant requests approval of a demolition permit to raze the existing single-family home and construct a new single-family residence in the TR-C1 (Traditional Residential – Consistent 1) zoning district at 4417 Hillcrest Drive.

Proposal Summary: The applicant proposes to demolish an existing, one-story, single-family home and construct a one-story, single-family home.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185(7)]. It is also subject to MGO §28.042, which pertains to development in the TR-C1 (Traditional Residential – Consistent 1) zoning district.

Review Required by: Plan Commission

Summary Recommendation: If the Plan Commission can determine that the demolition standards are met, it should **approve** the demolition permit request subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies. In the alternative, staff recommends that if the Plan Commission cannot find that the demolition standards are met, or met with conditions, staff believes the item should be referred to a future Plan Commission meeting in order to revise the plans for the alternative future use.

Background Information

Parcel Location: The 8,060-square-foot (0.18-acre) subject property is located on the east side of Hillcrest Drive, directly across from the street's intersection with Merlham Drive. The site is within Aldermanic District 11 (Ald. Martin) and is within the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site and the surrounding properties are zoned TR-C1 (Traditional Residential – Consistent 1). The site includes the existing, roughly 1,000-square-foot, one-story, single-family home. City Assessor's records indicate the home was constructed in 1951 and has three bedrooms, one bathroom, and an attached two-car garage.

Surrounding Land Use and Zoning:

North: A single-family residence, zoned TR-C1 (Traditional Residential – Consistent 1);

South: Across a public alley are single-family residences, zoned TR-C1;

East: A single-family residence, zoned TR-C1; and

West: Across Hillcrest Drive and located on either side of Merlham Court are single-family residences, zoned TR-C1.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) land uses for the subject site. It defines this use as 0-15 dwelling units per acre and predominantly made up of single-family and two-unit structures.

[University Hill Farms Neighborhood Plan](#) (2015) recommends Low-Density Residential uses, which it defines as 0-15 dwelling units per acre. Relevant to this staff report, it recommends that the replacement of principal [residential] structure through new construction or demolition of existing structure “*should be comparable to the size, scale, and design of existing structure.*” (Page 53)

[Hoyt Park Area Neighborhood Plan](#) (2014) also recommends Low-Density Residential uses, which it defines as 0-8 dwelling units per acre and includes single-family detached houses on individual lots. Relevant to this staff report, it recommends that “*new housing complement the character and scale of existing homes while still allowing for neighborhood reinvestment.*” (Page 14) Furthermore, on Page 56, the Plan also includes residential design guidelines that pertain to such things as the orientation, articulation, and front yard landscaping of residences. Of note, regarding building orientation, it states, “*Position the house at or near the front setback line and in line with adjoining homes.*”

Zoning Summary: The property is zoned TR-C1 (Traditional Residential-Consistent 1).

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000	8,060
Lot Width	50 ft	80 ft
Front Yard Setback	20 ft	20 ft
Max. Front Yard Setback	30 ft	20 ft
Side Yard Setback	6 ft	6.1 ft, 6.3 ft
Rear Yard Setback	35 ft	35 ft
Usable Open Space	1,000 sq ft	2,275 sq ft
Maximum Lot Coverage	50%	30%
Maximum Building Height	2 stories/35 ft	1 story

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 a full range of urban services.

Project Description

The applicant requests approval of a demolition permit to raze the existing single-family home and construct a new single-family residence in the TR-C1 (Traditional Residential – Consistent 1) zoning district at 4417 Hillcrest Drive.

The existing residence is a roughly 1,000-square-foot, one-story, three-bedroom, single-family home which City Assessor’s records note was originally constructed in 1951. The letter of intent states that the structure is in “serious disrepair” and [submitted photos](#) have been provided to depict the current condition.

In its place, the applicant proposes to build a roughly 2,400-square-foot, one-story home (this includes a roughly 560-square-foot, attached two-car garage). The residence will have three bedrooms and two bathrooms. It will also have an unfinished basement.

The front yard setback varies with the building set back roughly 21 feet from the front property line (along Hillcrest Drive). Portions of the façade, including the garage, are set back over 30 feet. The side yard setbacks are just over six feet on the sides and 35 feet in the rear. Staff note that this is all consistent with the requirements of the TR-C1 (Traditional Residential – Consistent 1) zoning district.

The proposed structure will have all hip roofs, except for the portico above the main entrance, which will have a gable roof. It will be clad with vinyl lap siding.

Analysis

This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185(7)]. It is also subject to MGO §28.042, which pertains to development in the TR-C1 (Traditional Residential – Consistent 1) zoning district.

Demolition and Removal Standards

The existing house is proposed to be demolished. As noted in MGO Section 28.185(7), 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 – Consistent (TR-C) zoning districts. The Statement of Purpose for the TR-C Districts says, in part:

The TR-C Districts are intended to 1) 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; and 2) Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner.

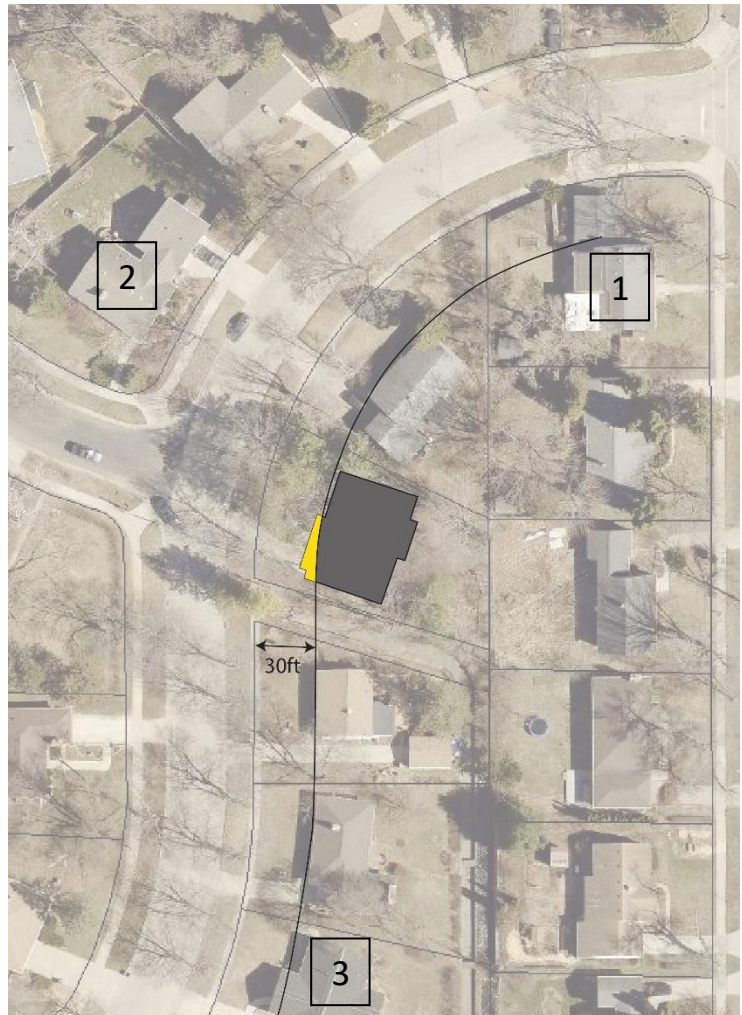
Furthermore, the proposal should be compatible with adopted plans. The Plan Commission shall consider and give decisive weight to any relevant facts, including but not limited to impacts on normal and orderly development, efforts to relocate the existing building(s), and the limits that the location of the building(s) would place on efforts to relocate it/them. The Plan Commission shall also consider any reports from the Landmark Commission and Historic Preservation Planner when determining whether the demolition standards are met.

The Planning Division believes the proposed building is consistent with the [Comprehensive Plan](#) (2018), which recommends Low Residential (LR) land uses for the subject site. The Plan defines this use as 0-15 dwelling units per acre and predominantly made up of single-family and two-unit structures.

Staff also believe the proposal is generally consistent with the [University Hill Farms Neighborhood Plan](#) (2015) which recommends Low-Density Residential uses. Relevant to this staff report, it recommends that the replacement of principal [residential] structure through new construction or demolition of existing structure “*should be comparable to the size, scale, and design of existing structure.*” (Page 53)

Finally, while Staff believe the proposal is consistent with the [Hoyt Park Area Neighborhood Plan's](#) (2014) recommendation of Low-Density Residential uses. Staff believe careful consideration should be given regarding the Plan's specific residential design guidelines. On Page 56, the Plan includes residential design guidelines that pertain to such things as the orientation, articulation, and front yard landscaping of residences. Of note, regarding building orientation, it notes the following consideration: “*Position the house at or near the front setback line and in line with adjoining homes.*” While the majority of other residences located along this block of Hillcrest Drive are set roughly 30 feet back from the front property line, the proposed house is set back roughly 21 feet, at its closest point. The garage is set back approximately 33 feet. Please see the image to right, with the area of the footprint located within the recommended setback colored yellow.

Staff do note that there are other notable exceptions to the 30-foot typical setback located in the immediate vicinity, such as the adjacent house to the north of the subject lot (set less than seven feet back along Hillcrest) (noted as #1 in the image to the right), the house to the northwest across Hillcrest, on a reverse corner lot (set roughly 13 feet back along Hillcrest Drive) (noted as #2), and the third house to the south (set roughly 25 feet back) (noted as #3).



Based on these nearby exceptions, the location on a curve, the additional right-of-way to the south, and the recognition that roughly half of the front façade is consistent with prevailing 30 foot setback, Staff believe that it may be possible to find that the proposal is compatible with the [Hoyt Park Area Neighborhood Plan](#).

Finally, regarding the building proposed for demolition, Staff note that at their February 17, 2019 meeting, the Landmarks Commission found that the building “*had no known historic value.*”

While the Planning Division believes the proposal is consistent with the standards for the TR-C1 Zoning District as well as the recommendations of the Comprehensive Plan, the University Hill Farms Neighborhood Plan and the majority of those of the Hoyt Park Area Neighborhood Plan, the Plan Commission should give careful consideration to the proposal's compatibility with the Hoyt Park Area Neighborhood Plan's residential design guidelines.

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

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

If the Plan Commission can determine that the demolition standards are met, it should **approve** the demolition permit request subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies. In the alternative, staff recommends that if the Plan Commission cannot find that the demolition standards are met, or met with conditions, staff believes the item should be referred to a future Plan Commission meeting in order to revise the plans for the alternative future use.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Engineering Division (Main Office) (Contact Tim Troester, (608) 267-1995)

1. This property is adjacent to a stormwater drainage conveyance channel. The minimum window elevation on the home adjacent to that channel shall be 100.00 on the datum of the plan set provided.
2. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit, surety to guarantee the construction of the improvements and a deposit to cover estimated City expenses may be required.
3. 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))

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

4. Owner/Applicant/Contractor are responsible to obtain the necessary permissions/agreements if disturbance of the adjacent lots is required to construct the retaining walls proposed along the north and east Lot lines.
5. Current Public records indicate owner is Daniel Bruenig and not the owner stated on the application. Provide the recorded deed conveying the property to application's stated owner.
6. Identify on the plans the lot number of the recorded or Plat.

7. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

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

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

8. 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 at streets@cityofmadison.com.
9. 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.
10. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

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

11. 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 website: <https://homefiresprinkler.org/building-residential-fire-sprinklers>. An upgrade to include a fire sprinkler system with a cost estimate shall be made available to the owner.
12. 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.

Forestry Division (Contact Wayne Buckley, (608) 266-4892)

13. The trees designated on the plan as removals would not be able to be replaced after construction.
14. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
15. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set

16. City Forestry will issue a street tree removal permit for (X) tree(s) (dbh) diameter (variety) tree due to (reason) at (location). Please contact Wayne Buckley - wbuckley@cityofmadison.com or 608-266-4816 to obtain the street tree removal permit. Add as a note on the plan set.
17. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm>. Add as a note on the plan set.
18. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
19. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.

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

20. 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.

Parks Division (Sarah Lerner, (608) 261-4281)

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

Metro Transit (Contact Tim Sobota, (608) 261-4289)

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