



PREPARED FOR THE PLAN COMMISSION

Project Address: 1435 Morrison Street (District 6 – Ald. Benford)
Application Type: Demolition Permit and Conditional Use
Legistar File ID # [66594](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Heather Stouder, AICP, Planning Division Director

Summary

Applicant & Contact: Robert Bouril; Bouril Design Studio, LLC; 6425 Odana Road, #2; Madison, WI 53719
Property Owner: Steven & Jacqui Suleski; 13 Greenhaver Circle; Madison, WI 53717

Requested Action: Consideration of a demolition permit and conditional use to demolish an existing two-unit residence and construct a new single-family residence on a lakefront parcel in the Traditional Residential – Consistent 4 (TR-C4) Zoning District at 1435 Morrison Street.

Proposal Summary: The applicant proposes to demolish an existing two-unit and construct a new two-and-a-half-story, roughly 4,246-square-foot, single-family residence with a finished basement on a lakefront parcel.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185(7)], Conditional Uses [MGO §28.183], and Lakefront Development [MGO §28.138]. MGO §28.138(2)(a) states that all new principal buildings on zoning lots abutting Lake Monona and associated bays, shall require conditional use approval.

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for demolition, conditional uses, and lakefront development are met and **approve** the demolition and conditional use requests to demolish an existing two-unit residence and construct a new single-family residence on a lakefront parcel in the Traditional Residential – Consistent 4 (TR-C4) Zoning District at 1435 Morrison Street. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 4,843-square-foot (approximately 0.11-acre) subject property is located on the southeast (lake) side of Morrison Street, between S Dickinson Street and Rogers Street. The site is within Alder District 6 (Ald. Benford) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes a 1,500-square-foot, one-and-a-half-story, two-unit building with a full (unfinished) basement. According to the City Assessor’s records, the building was constructed in 1923 and contains four bedrooms and two bathrooms. While the applicant did not raise specific deficiencies regarding the condition of the structure, they did submit interior and exterior [photos](#) of the building for review.

Surrounding Land Use and Zoning:

- Northeast:** A single-family residence in the Traditional Residential-Consistent 4 (TR-C4) District, beyond which is Morrison Park, also zoned TR-C4;
- Northwest:** Single-family residences and two-units in the TR-C4 Zoning District;
- Southeast:** Lake Monona; and
- Southwest:** A four-unit apartment, zoned Traditional Residential – Varied 1 (TR-V1) District, beyond which are single-family residences in the TR-C4 District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential uses (<15 dwelling units/acre) for the subject property. The [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) doesn't provide specific recommendations for the subject property.

Zoning Summary: The property is zoned TR-C4 (Traditional Residential-Consistent 4).

| Requirements | Required | Proposed |
|-------------------------|-----------|----------------------------------|
| Lot Area (sq. ft.) | 4,000 | 4,844 |
| Lot Width | 40 ft | 38.57 ft |
| Front Yard Setback | 20 ft | 19.75 ft <i>(See Comment #9)</i> |
| Max. Front Yard Setback | 30 ft | 20 ft |
| Side Yard Setback | 3.857 ft | 3.88 ft |
| Lakefront Yard Setback | 48 ft | 52 ft |
| Usable Open Space | 750 sq ft | 2,400 sq ft |
| Maximum Lot Coverage | 65% | 50% |

| | |
|------------------------------------|---|
| Other Critical Zoning Items | Floodplain; Utility Easements; Wetlands |
|------------------------------------|---|

Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: While the property is not located in a mapped environmental corridor, portions of the property closest to Lake Monona contain wetlands and are within a flood storage district, per the City of Madison Zoning Map.

Public Utilities and Services: This property is served by a full range of urban services.

Project Description

The applicant is seeking demolition permit and conditional use approvals to demolish the existing two-story, two-unit, lakefront residence and construct a new two-and-a-half-story, roughly 4,246-square-foot, single-family residence with a finished basement. It will have three bedrooms, two full bathrooms, and two half bathrooms. Due to the grade sloping down towards the water, it will have a walk-out basement on the lake side.

As proposed, the new primary residence will have angled shed roofs of standing-seam metal and will be clad with a combination of engineered wood lap siding and vertical metal paneling.

Project Analysis and Conclusion

This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185(7)], Conditional Uses [MGO §28.183], and Lakefront Development [MGO §28.138]. MGO §28.138(2)(a) states that all new principal buildings on zoning lots abutting Lake Monona and associated bays shall require conditional use approval.

Demolition Details & Standards

In order to approve a demolition request, MGO §28.185(7) states 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 TR-C1 (Traditional Residential - Consistent 1) Zoning District. 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. Furthermore, 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.

Staff believes that the demolition standards can be found met with this proposal. This proposal is consistent with the [Comprehensive Plan](#) (2018) recommends Low Residential uses for the subject property. Low Residential areas are predominantly composed of single-family and two-unit structures, and include fewer than 15 dwelling units per acre. The [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) does not provide specific recommendations for the subject property. Regarding the finding by the Landmarks Commission, at their July 26, 2021 meeting, they recommended to the Plan Commission that the building at 1435 Morrison Street has no known historic value. The Landmarks Commission also urged caution related to the inadvertent discovery of archaeological resources given the proximity to the lake. Staff note that the applicant has reached out to both the Wisconsin Historical Society as well as the Ho-Chunk National Tribal Historic Preservation Office to inform them of their proposed development plan. The Wisconsin Historical Society has subsequently issued a letter stating, *"There are no recorded archaeological sites in the area of the home being demolished and the house at 1435 is not on the National Register. The SHPO office has no objections to the work taking place."*

Conditional Use Standards

In regards to the approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note that recent changes to state law require that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and are not based on personal preference or speculation.

The Planning Division believes that the Conditional Use Standards can be found met. As stated above, Staff believes the proposal is consistent with the low density residential land use recommendation contained in the [Comprehensive Plan](#) (2018).

The Conditional Use Standard for lakefront development (Standard 13) states that "when applying the above standards to lakefront development under MGO §28.138, the Plan Commission shall consider the height and bulk of principal buildings on the five (5) developed lots or three hundred (300) feet on either side of the lot with the proposed development." As an estimate of total bulk, Staff utilized City Assessor's data to estimate principal building size for the homes on the three (3) developed lots to the northeast and the five (5) developed lots to the southwest of the subject property. This calculation includes living areas, enclosed porches, total basement areas, and estimated attached garage space. Using this analysis, Staff found that the principal building sizes of the applicable homes range from approximately 1,780 to 4,515 square-feet. The median size of the surrounding homes is 3,308 square-feet. Based on these calculations, at 4,246 square-feet, the proposed principal structure would be the second largest of the surrounding residences.

The Zoning Code's definition of bulk also includes FAR, or floor area ratio, which compares the total building floor area (on all floors, including the basement) to lot area. (A FAR of 1.0 would indicate that the total building floor area is equal to the lot area.) The calculated FAR for the proposed principal structure is 0.88, which is larger than the estimated median 0.51 FAR for the surrounding homes but again, would only be the second largest FAR of the

surrounding residences. In regards to height, the proposed home appears to be below the maximum allowable height of 35 feet, at 34 feet as determined by Zoning. Staff notes that the heights of the surrounding homes are varied and consist of one-and-a-half to two-and-a-half story structures.

Lakefront Development Standards

The lakefront development standards were established to further the maintenance of safe and healthful conditions by preserving and enhancing water quality, habitats, viewsheds, and other environmental and aesthetic qualities of lakes. This section includes additional regulations including limitations on the clearing of shoreline vegetation, requirements for public sewer, environmental protections, and additional lot coverage standards. This section also includes the methodology to establish the building setback from the lake. Given the fact that the new single-family residence is located outside of the lakefront setback, staff believes the lakefront development standards are met.

Public Input

At the time of report writing, staff did not receive any public comment regarding this proposal.

Conclusion

When considering the adopted plans, the proposed new residence, and the surrounding development pattern (i.e. 1½- to 2½-story residences), the Planning Division believes that the standards for Demolition Permits, Conditional Uses and Lakefront can be found met for this proposal. Moreover, neither the removal of the existing home or the construction of the new home are anticipated to have a negative impact on either the normal and orderly development or the improvement of surrounding properties.

Recommendation

Planning Division Recommendation (Contact Chris Wells, cwells@cityofmadison.com)

The Planning Division recommends that the Plan Commission find that the standards for demolition, conditional uses, and lakefront development are met and **approve** the demolition and conditional use requests to demolish an existing two-unit residence and construct a new single-family residence on a lakefront parcel in the Traditional Residential – Consistent 4 (TR-C4) Zoning District at 1435 Morrison Street. 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 (Main Office) (Contact Brenda Stanley, (608) 261-9127)

1. Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.) This permit application is available and must be completed on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO 10.08)
2. 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))

City Engineering Division – Mapping Section (Contact Lori Zenchenko, (608) 266-5952)

3. The 1435 Morrison St, 1435 Morrison St Apt 1 & 1435 Morrison St Apt 2 addresses will be retired and archived with the demolition of the building. The new single family house will have an address of 1433 Morrison St. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

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

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 Sec. 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. One measurement from the garage to the front property line appears to show 19.75 ft, which is less than the required 20 ft. Clarify the measurement from property line to building foundation wall.

Fire Department (Contact Bill Sullivan, (608) 266-4560)

8. The indoor fire table shall be listed for such use and with proper ventilation provided. The production of a carbon monoxide and/or carbon dioxide is a major health hazard.
9. 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 shall be offered along with a cost estimate for all initial single-family homes.
10. 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 (Contact Brad Hoffman, (608) 267-4908)

11. Planting additional street tree is needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

12. 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.
13. 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.
14. Contractor shall contact City Forestry at 266-4816 to issue a street tree removal permit for a 2' diameter Crabapple tree due to driveway installation. Add as a note on the plan set.

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

15. 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.
16. 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.

The Traffic Engineering, Parks Division, Forestry Section, Water Utility, and Metro Transit have reviewed this request and have recommended no conditions of approval.