

PLANNING DIVISION STAFF REPORT

October 18, 2021



PREPARED FOR THE PLAN COMMISSION

Project Address: 466 Orchard Drive (District 10 – Ald. Figueroa Cole)
Application Type: Demolition Permit
Legistar File ID # [67278](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: Joel Martin; 304 Glenthistle Court; Madison, WI 53705

Requested Action: Approval of a demolition permit with for a new single-family residence at 466 Orchard Drive

Proposal Summary: The applicant proposes to demolish a one-story single-family residence at 466 Orchard Drive

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO Section 28.185(7)].

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a single-family residence at 466 Orchard Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 8,837-square-foot property is located on the west side of Orchard Drive between Keating Terrace and Ames Street. It is located within Aldermanic District 10 (Ald. Figueroa Cole) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The property is zoned Suburban Residential – Consistent 1 (SR-C1) District and is developed with a one-story, three-bedroom, one- bathroom, 971-square-foot single-family residence built in 1955. There is no garage currently on the site.

Surrounding Land Use and Zoning:

North: Single-family residences zoned Suburban Residential – Consistent 1 (SR-C1) District;
East: Across Orchard Drive, single-family residences, zoned SR-C1;
South: Single-family residences, zoned SR-C1; and
West: Single-family residences, zoned SR-C1.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel. The [Midvale Heights/Westmorland Joint Neighborhood Plan](#) (2009) does not have specific land use recommendations for the site, but encourages sensitive continued development of residential areas.

Zoning Summary: The property is in the Suburban Residential – Consistent 1 (SR-C1) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000	8,837
Lot Width	60 ft	58 ft
Front Yard Setback	30 ft	30 ft
Side Yard Setback	7 ft	7 ft
Rear Yard Setback	35 ft	86 ft
Usable Open Space	1,300 sq ft	3,000 sq ft
Maximum Lot Coverage	50%	47%
Maximum Building Height	2 stories/35 ft	2 stories (see Zoning comment 4)

Other Critical Zoning Items	Utility Easements
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Prepared by Jacob Moskowitz, 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 full range of urban services.

Project Description, Project Analysis, and Conclusion

The owner applicant is requesting approval to demolish a small, one-story single-family residence at 466 Orchard Drive. According to the letter of intent and [demolition photos](#) provided by the applicant, the house is in poor condition and has not been maintained by the previous owner. There are numerous broken windows, the floor has water damage, there is significant evidence of mold, and water drains toward the house from the driveway. Following demolition, the applicant intends to build a new single-family home and detached garage. Please note, based on recently approved changes to the Demolition Ordinance, the plans for the future use are not before the Plan Commission as Planning Division staff understands that they are permitted uses under the zoning code.

Adopted Plan Recommendations

The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) for this site, a land use designation predominantly made up of single-family and two-unit structures, but that may include smaller two-, three-, and four-unit apartment buildings and rowhouses. The [Midvale Heights/Westmorland Joint Neighborhood Plan](#) (2009) does not have specific land use recommendations for the site, but encourages preservation and enhancement of the existing residential character and architectural style in the areas not identified as potential redevelopment sites, while also allowing for the continued evolution of housing forms in order to meet the needs of a changing population. In considering the adopted plan recommendations, the Planning Division believes that the proposed use is generally consistent with the [Comprehensive Plan](#) and the [Midvale Heights/Westmorland Joint Neighborhood Plan](#).

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council revised the City of Madison's demolition permits ordinance section to remove consideration of proposed future use for demolition applications. In order to approve a demolition request, the Plan Commission must consider the factors and information specified in §28.185(9)(c) MGO and find that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. The 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 that may be submitted by the Landmarks

Commission. At its September 20, 2021 meeting, the Landmarks Commission found that the existing building at 466 Orchard Drive has no known historic value.

The Planning Division believes that the standards for Demolition Permits can be met.

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

Recommendation

Planning Division Recommendation (Contact Colin Punt, 243-0455)

The Planning Division believes that the demolition standards can be found met and recommends that the Plan Commission **approve** the request to demolish a single-family residence and construct a new single-family residence at 466 Orchard Drive. 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

Zoning (Contact Jacob Moskowitz, 266-4560)

1. 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).
2. 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.
3. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
4. Show the height of the proposed building on the elevations. The maximum height is 35 ft. 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 facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district.

Engineering Division (Tim Troester, 267-1995)

5. This site passes a significant amount of drainage from South to North. Applicant shall provide a drainage and grading plan showing how this will be accommodated.
6. 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)
7. 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)).

Fire Department (Contact William Sullivan, 261-9658)

8. 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.
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>
10. Provide a cost estimate to upgrade the home with a fire sprinkler system to the owner and share with MFD.

Water Utility (Contact Jeff Belshaw, 261-9835)

11. 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.
12. 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 Planning Division, Traffic Engineering Division, Engineering Division Mapping Office, Parks Division, and Forestry Section have reviewed this request and have recommended no conditions of approval.