



Report to the Plan Commission

November 16, 2009

Legistar I.D. #16562
2708 Waunona Way
Demolition Request

Report Prepared By:
Heather Stouder, AICP
Planning Division Staff

Requested Action: Approval of the demolition of a single-family home and construction of a new single-family home in the R1 (Single-Family Residence) District on a waterfront parcel.

Applicable Regulations & Standards: Section 28.04 (19) requires that new principal buildings or additions to buildings on a waterfront parcel must obtain a conditional use permit. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses. Section 28.12 (12) provides the guidelines and regulations for the approval of demolition permits.

Summary Recommendation: The Planning Division recommends that the Plan Commission finds the project meets all applicable demolition, waterfront, and conditional use standards and **approve** the proposed request for residence demolition and new construction on a waterfront lot at 2708 Waunona Way, subject to the recommended conditions and input provided at the public hearing.

Background Information

Applicant/Property Owner: Douglass Henderson; 2921 Richardson; Madison

Project Contact: William J. Flanigan; Holtz Buildings Inc. 2560 East Main St.; Reedsburg

Proposal: The applicant proposes the demolition of an existing 972 square-foot single-family home to construct a new single-family home on a waterfront lot. The applicant intends to initiate demolition in December of this year and complete construction by summer 2010.

Parcel Location: 2708 Waunona Way is located on the north side of Waunona Way on Lake Monona, just east of Woodley Lane, Aldermanic District 14 (Bruer); Madison Metropolitan School District.

Existing Conditions: The existing 972 square foot, one and a half story home, constructed in 1946, sits on a lot nearly 19,000 sq. ft. (0.4 acres) in size in the R1 (Single-Family Residence) District. The applicant has provided interior and exterior photographs of the structure

Surrounding Land Use and Zoning: The area surrounding the property is zoned R1 (Single-Family Residence District), and consists of single family homes on relatively large lots.

Adopted Land Use Plan: Both the Comprehensive Plan (2006) and the Broadway-Simpson-Waunona Neighborhood Plan (1986) recommend continued Low Density Residential land use for the area.

Environmental Corridor Status: This property is not located within a mapped environmental corridor.

Public Utilities and Services: The property is served by a full range of urban services, including Metro Transit Route 12.

Zoning Summary: The property is in the R1 (Single-family Residence) District

Requirements	Required	Proposed
Lot Area	8,000 sq. ft.	18,920 sq. ft.
Lot width	65'	Adequate
Usable open space	1,300 sq. ft.	Adequate
Front yard	30'	Approximately 31' (see Condition No. 9, page 4)
Side yards	7' each side	8' RS, 15'6" LS (see Condition No. 9, page 4)
Rear yard (Lake side)	Average 5 lots each side	100'
Building height	2 stories / 35'	2 story, less than 35'

Site Design

No. Parking stalls	1	3
Landscaping	Yes	Removal of one oak tree within 35' of lake
Other Critical Zoning Items		
Urban Design	No	
Historic District	No	
Landmark Building	No	
Flood Plain	Yes (see Condition No. 11, page 4)	
Utility Easements	Sewer	
Waterfront Development	Yes	

Prepared by: Pat Anderson, Asst. Zoning Administrator

Analysis, Evaluation, and Conclusion

The applicant is requesting approval to demolish a 972 square foot single family residence for the construction of a new 3,100 square foot single-family home, subject to standards in the Zoning Ordinance for demolition and conditional use for development on a waterfront lot. The proposal is consistent with recommendations in the Comprehensive Plan and the Broadway-Simpson-Waunona Neighborhood Plan for low-density residential land uses.

Demolition of Existing Home

According to assessor's records, the existing one story structure was built in 1946, and has two bedrooms, one bathroom, an unfinished basement, and a detached 2-car garage behind the home, with access from Woodley Lane from the west. Photos submitted with the application show some deterioration on the exterior and interior walls of the home, but it appears that it is structurally sound. The assessed value of the improvements on the property is 27,300 (6% of the total property value). The City's Acting Preservation Planner and the Landmarks Commission have reviewed the request with no objections, although one member of the Landmarks Commission noted that the continued loss of small vernacular homes along the lakefront is regrettable.

Plan Review

The proposed home sits in the center of this irregularly shaped lot, with an attached 3-car garage taking access from Woodley Lane from the west. The home has just over 2,200 square feet on the main level, with approximately 750 square feet of second-story living space situated on the east side of the home. This is larger than, but not out of character with, the approximately 2,000 square foot average size of the five homes on either side of this property. Plans show two and one half bathrooms, three rooms designated as bedrooms, and two additional rooms that could function as bedrooms. The basement level includes windows along the lake side to the north, but is not a walk-out basement. Floor plans for the basement were not included.

The highest ridge on the rooftop is just over 37 feet above the average high water mark. From Waunona Way to the south, this point is approximately 25.5 feet above grade. Exterior materials indicated in the letter of intent include stucco, stone, and maintenance free siding. These materials should be specified and labeled on final plans submitted for staff review and approval. An approximately 420 square foot deck is proposed on the north side of the home, maintaining a minimum setback of at least 100 feet from the average high water mark.

All required setbacks appear to have been met with the proposal. The 100' minimum setback on the waterfront side was determined by taking the average of the five developed sites on either side of the property. Each of these distances was provided on the survey submitted, although Zoning staff have requested a surveyor's verification of these prior to any issuance of demolition or building permits. Consistent with practice, this is recommended as a condition of approval.

Landscaping

The letter of intent notes that approximately seven trees would be removed in the vicinity of the new home and the Shoreline Vegetation Site Map (dated November 2) notes the intended removal of one oak tree approximately 20 feet from the waterline and a maple tree on the west central portion of the lot. Staff recommends that a more detailed landscape plan be included in the final plan set to clearly indicate existing and proposed trees on the entire lot, as well as an inventory of any other existing vegetation within 35 feet of the waterline as requested by zoning staff.

Public Input

Comments received from the Waunona Neighborhood Association (dated November 11) indicate overall support for the proposal, with concerns about drainage, tree removal, and basement flooding. Staff believes that drainage issues will be sufficiently addressed by the fulfillment of Engineering Condition No. 6. With regard to trees on the lot, the neighborhood association has indicated concern that two trees are proposed for removal near the shoreline. Staff believes that further tree study would be beneficial, but does not recommend it as a condition of approval, so long as the applicant can demonstrate in a revised vegetation inventory that the proposal will comply with Section 28.04(19) of the Madison General Ordinances pertaining to shoreland vegetation (see Zoning Condition No. 11).

The neighborhood's concerns about the implications of a proposed basement slab lower than occasional lake levels has been confirmed by City Engineering staff. Engineering Condition No. 4 was added to warn that while the proposal complies with floodplain regulations, it would likely result in significant flooding in the basement. As a reaction to this comment from the neighborhood association, the applicant is currently considering either the removal of the basement or the raising of the basement and removal of the second floor, neither of which would increase the height of the proposed structure, or significantly change the elevations of the home as experienced from the street or sides. The applicant intends to meet with staff on the morning of November 13 to review revisions.

Conclusion

The Planning Division believes that the demolition and conditional use standards can be met with this proposal. Not having reviewed revisions as a reaction to neighborhood concerns about basement flooding, staff recommends that the Plan Commission consider whether revisions presented at the Plan Commission meeting are similar enough to original plans to warrant approval prior to formal review by the neighborhood association. If the Plan Commission finds that this is the case, staff recommends that the Plan Commission **approve** the request subject to input at the public hearing and comments and conditions from reviewing agencies.

Alternatively, the Plan Commission may decide to **refer** the request to the December 14 Plan Commission meeting in order to allow more time for the applicant to consider revisions to the structure and provide for adequate review by the Waunona Neighborhood Association.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards can be met and **approve** the request subject to input at the public hearing and the following conditions:

Planning Division (Contact Heather Stouder, 266-5874)

1. Final plans submitted by the applicant for review by Planning Division staff shall include elevations specifying exterior materials.
2. The applicant shall provide a landscape plan and inventory, as required by the Zoning Ordinance for approval by Planning Division staff. This landscape plan will include all existing and proposed trees for the entire lot (designating those proposed for removal), and an inventory of any other existing vegetation within 35 feet of the waterline, consistent with Madison General Ordinances Section 28.04(19).

The following conditions have been submitted by reviewing agencies:

City Engineering Division (Contact Janet Dailey, 261-9688)

3. Revise the plan to include the location of the existing public sanitary sewer and public easement (per recorded easement document 0861675). Although the site plan appears to identify plenty of setback and separation between the proposed dwelling unit and city record sewer facility locations, the facilities and easements shall be field located and shown on the plan. This will confirm city record locations and also provide assurance that no other proposed site plan amenities (landscaping, accessory buildings, etc.) will encroach upon these facilities.
4. The proposed structure, while in compliance with floodplain code, has proposed a basement floor elevation that is significantly below the elevation of the 100-year regional flood. The owner can expect that during high water events the basement will be inundated with groundwater. This may be the case even with normal lake water elevations. The owner is strongly encouraged to either raise the structure to avoid this condition or to waterproof the concrete and use significant sump pump systems to protect it.
5. All work in the public right-of-way shall be performed by a City licensed contractor.
6. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. Provide locations of proposed downspouts.
7. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
8. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
9. 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.

NOTE: Permit applications for Nos. 5 and 6 are available on line at:
<http://www.cityofmadison.com/engineering/permits.cfm>

Zoning Administrator (Contact Pat Anderson, 266-5978)

10. Provide surveyors verification pursuant to Section 28.04(19)(b)1. Establishing the existing development pattern, setback from the normal high water mark. For purposes of this section, the existing development pattern shall mean the average setback of the five (5) developed lots to each side of the proposed development. For all zoning lots, the principal, building setback shall be not less than the existing development pattern. Please work with zoning staff to establish said setback, which is measured to the principal building on the lot and includes all decks three feet or more above normal grade and measured to the nearest tenth of a foot. Survey shall be submitted with plans for final signoff, showing an accurate existing development pattern prior to a building permit being issued.
11. Lake front development shall comply with City of Madison General Ordinances Section 28.04(19). The cutting of trees and shrubbery shall be limited in the strip of land 35' inland from the normal waterline. Provide a landscape plan to show landscape elements to be removed and show a detailed plan showing sizes and number of landscape elements to be added to the site. In addition, not more than 30% of the frontage of the lot shall be cleared of trees and shrubbery.

NOTE: Within the waterfront setback requirements, tree and shrub cutting shall be limited to consideration of the effect on water quality, protection, and scenic beauty, erosion control, and reduction of the effluents and nutrients from the shoreland.)
12. Show designated flood plan area on the site plan. Any construction within a flood plain shall meet flood proofing protection measures and such design shall be certified by a registered professional engineer or architect per 28.04(20)(b) of the Madison General Ordinances.
13. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
14. Section 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

Water Utility (Contact Dennis Cawley, 261-9243)

15. Although not required, the property owner may wish to consider increasing the size of the existing $\frac{3}{4}$ " water service lateral.
16. This property is not in a Wellhead Protection District. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Traffic Engineering Division (Contact John Leach, 267-8755)

This agency did not submit a response for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this request.

Fire Department (Contact Scott Strassburg, 261-9843)

This agency did not submit a response for this request