



Report to the Plan Commission

October 5, 2009

Legistar I.D. #16104
5628 Lake Mendota Drive
Conditional Use

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Approval to construct two accessory buildings on a waterfront property.

Applicable Regulations & Standards: Section 28.04 (19) requires that new accessory 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.

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards and waterfront development are met for the proposed accessory buildings on a waterfront parcel and **approve** the requested conditional use subject to input at the public hearing, comments from the Planning Division and comments from other reviewing agencies.

Background Information

Applicant: Juliaane H. Warren and George E. Warren, 5628 Lake Mendota Drive, Madison, WI 53705
Agent / Contact: Same as the Applicant
Property Owner: Same as the Applicant

Proposal: The applicant proposes to construct two accessory buildings on a waterfront property. Work would commence upon receipt of approval and would proceed in two phases. The first phase would begin in Fall 2009 and consist of the demolition of the existing shed and the installation of slabs for the new structures. Construction of the two accessory buildings is the second phase of work, anticipated to start in Spring 2010 with completion scheduled for Fall 2010.

Parcel Location: The parcel is an approximately 0.61-acre (26,600 square foot) waterfront parcel located along the southwestern shores of Lake Mendota, north of Lake Mendota Drive's intersection with Capital Avenue. This parcel is located within Aldermanic District 19 and the Madison Metropolitan School District.

Existing Conditions: The property includes a 1,600 square foot home, constructed in 1903. The site also includes an existing 201-square foot shed that is planned for demolition, due to its poor condition. (A raze permit has been issued, though the building has not yet been demolished). This property previously included a detached garage that collapsed in 1998. The site is substantially screened from Lake Mendota Drive by deciduous and coniferous trees lining the street frontage and these would remain as part of this proposal.

Surrounding Land Use and Zoning: The subject site is located on the southwestern shores of Lake Mendota surrounded, by other single-family residences zoned R2 (Single-Family Residence District).

Adopted Land Use Plan: The Comprehensive Plan recommends low-density residential uses for this property and the surrounding area.

Environmental Corridor Status: The property is not within an environmental corridor, though a small portion of the property nearest to the lake is in the flood fringe. The proposed accessory structures would not be built within this area.

Public Utilities and Services: This property is served by a full range of urban services. The garage is proposed over existing gas, sanitary, and water lines.

Zoning Summary: The property is zoned R2 (Single-Family Residence District)

Bulk Requirements	Required	Proposed *
Lot Area	6,000 sq. ft	26,600 sq. ft.
Lot width	50'	75'
Usable open space	1,000 sq. ft	Adequate
Front yard	30'	Adequate (See Comment # 5)
Side yards	3' accessory building setback	3' RS / 16' LS (See Comment # 5)
Lake Setback Average	TBD	Adequate/TBD (See Comment #6)
Building height	15' to average mean height of acc. building	12' to average mean height of acc. building
Number parking stalls	1	2
Landscaping		(See Comment #6)
Other Critical Zoning Items:	Sewer Easement, Flood Plain, Waterfront Development	
	<i>Table Prepared by Pat Anderson, Assistant Zoning Administrator</i>	

Analysis, Evaluation, & Conclusion

The applicant proposes to construct two accessory buildings on a waterfront parcel. Conditional use approval is required and this project is subject to both the conditional use and waterfront development review standards.

The subject property is approximately 0.61 acres in area and is roughly 75 feet wide. The existing cottage-style residence was built in 1903 and the current owners have completed many interior and exterior historic restorations. The home is set back roughly 180 feet from the street, similar to many of the surrounding properties. Deciduous and coniferous trees substantially screen the home and the property from Lake Mendota Drive. This vegetation would be maintained and additional vegetation would be provided under this proposal.

The property previously included two accessory buildings, though only one of these structures remains. A two-car detached garage, located close to the house, collapsed in 1998. A 201-square foot shed building, built in 1903, remains on site though the applicant has received a raze permit to demolish this structure. The applicant had originally planned to relocate this structure elsewhere on the site, however the condition of the building limited the feasibility of moving or rehabilitating it. Demolition is planned to

proceed upon approval of the conditional use. Some of the building materials would be retained and incorporated onto the proposed workshop building, per the applicant's materials.

The applicant has provided a detailed history of the property and the physical changes considered and implemented. While two accessory buildings are proposed, the applicant had originally considered building one larger accessory building to house both garage and workshop space. The applicants and their design professionals noted that the construction of two smaller buildings would better reflect the design and scale of the house and would have less of a visual impact, opposed to creating one large accessory building.

The proposed garage has an area of 526 square feet and is the larger of the proposed accessory buildings. This one-story structure would be sited on the eastern portion of the site and should be substantially screened from the street by existing vegetation. Exterior materials include wood shingles and stained cedar siding, similar in character to the existing residence. Decorative carriage-style doors would be used (please see representative photo provided by the applicant). Windows are located on all other facades. The building is roughly 12 feet in height and features a hip roof. The applicant has informed staff the height is roughly the same height as the existing shed. As with other lakefront buildings and accessory structures, staff request that final sign-off plans clarify the height of the accessory buildings in relationship to the finished grade of the site.

The proposed workshop building is 360 square feet in area, sited on the western side of the property. Like the garage, the proposed one-story workshop features a hip roof and would also be roughly 12 feet in height. Materials would again match the house and garage with wood shingles and stained cedar siding. French casement windows would be included on all elevations, including the street-facing elevation.

Staff believe that the proposed buildings are very well designed and would be complementary to the character of the existing residence. The garage should have limited visibility from the street because of the existing vegetation. In terms of context, the proposed garage is smaller than the two story garage/carriage house located on the property immediately to the southeast. The proposed workshop, like the existing shed, will have some visibility from the street. The street-facing elevation is substantially residential in character and includes three large windows facing the street. While the new shed is roughly 160 square feet larger, the building is set further back on the property and is only four feet wider than the existing shed.

The applicant has met with the Spring Harbor Neighborhood Association and notes the plans before the Plan Commission have been revised to address comments provided at that meeting. The applicant has indicated to staff that much of the feedback on the proposal has been positive, though there was at least one objection to the proposal, citing concerns over loss of views to the lake from Lake Mendota Drive. At the time of report writing, staff had not received any comments on this proposal.

Staff have toured the project site and note that there are currently very limited views to the lake across this property from Lake Mendota Drive, primarily due to mature vegetation and existing buildings. Site lines are primarily down the driveway, between the home and the vegetation along the property's northwest property line. It is possible that this limited view may be somewhat further reduced, though staff do not believe that this would be significantly different than that of other waterfront properties in this area. Further, the approximate 90-foot street setback and mature vegetation limit the visual impact of the accessory buildings, compared to other lakefront properties in which the garages are much more prominent.

This proposal is not inconsistent with the Comprehensive Plan's recommendation for low-density residential land use. The property is also within the planning area for the Spring Harbor Neighborhood Plan. While the neighborhood plan does not contain specific recommendations for lakefront residential areas, it does encourage that development and redevelopment is of a height and scale that is relative to the neighborhood and is sensitive to its natural character. Many new buildings have been approved with a variety of building sizes and architectural styles, and staff believe that the proposed accessory buildings reflect the size, scale, and character of the existing residential building.

The Planning Division believes that the waterfront development and conditional use standards can be met.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the conditional use and waterfront development standards are met for the proposed accessory buildings on a waterfront parcel and **approve** the requested conditional use subject to input at the public hearing, comments from the Planning Division and comments from other reviewing agencies.

1. Submit a plan showing existing grades on the site. The applicant's final sign-off plans shall include dimensioned elevation drawings for all sides of the building that label the finished-grade elevations at the building corners for approval by staff.

The following conditions have been submitted by reviewing agencies:

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

2. It is understood that the applicant shall relocate any private utilities that are located under the proposed buildings.
3. Provide additional drainage information on the site including drainage arrows, first floor elevations of the new buildings and downspout locations. If necessary swales or additional drainage measures may be required if the new buildings and landscaping have negative impacts to the existing drainage.
4. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) izenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can

be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.

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

This agency submitted a report with no recommended conditions of approval.

Zoning Administrator (Contact Pat Anderson, 266-5978)

5. Pursuant to section 28.04 (5) (b) 3. Where a detached garage is located fifty (50) feet or more from the rear line of the required front yard, it may be located a minimum of three (3) feet from a side lot line. The final site plan shall show dimensions of the building and their setbacks from the property lines. Remove line of 40' setback on site plan. Please be advised that the road side setback is 30'. The lake side setback is determined by the average setback of the five (5) developed lots to each side of the proposed developed lot. If the intent is to establish this setback it shall comply with section 28.04 (19) (b) 1. And be a part of the final site plans.
6. 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.)
7. Accessory buildings shall meet all building code requirements and shall not be used for human habitation pursuant to City of Madison General Ordinances Section 28.04 (19) (b) 7.

Water Utility (Contact Dennis Cawley, 261-9243)

This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.

Fire Department (Contact Scott Strassburg, 261-9843)

This agency submitted a report with no recommended conditions of approval.

Parks Division (Contact Tom Maglio, 266-6518)

This agency did not submit a response to these requests.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to these requests.