

PLANNING DIVISION STAFF REPORT

February 9, 2015



PREPARED FOR THE PLAN COMMISSION

Project Address: 1924-1926 Tarragon Drive
Application Type: Conditional Use
Legistar File ID # [36622](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicants & Property Owners: James & Mary Jo Dresen; 5113 Melinda Drive; Madison

Requested Action: Approval of a conditional use to allow construction of a two-family twin residence at 1924-1926 Tarragon Drive within 300 feet of a zoning lot containing another two-family twin building.

Proposal Summary: The applicants wish to construct a two-family twin dwelling on a lot platted for two-family residences as part of the approval and ongoing implementation of the Buckeye Meadows development. The applicants wish to commence construction as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: Section 28.037(2)(a) of the Zoning Code states that no two-family twin dwelling shall be constructed or converted in the SR-C3 (Suburban Residential–Consistent 3 District) within 300 feet of a zoning lot containing another two-family twin building, as measured from the perimeter of each zoning lot, unless approved by conditional use. Section 28.183 provides the process and standards for the approval of conditional use permits.

Review Required By: Plan Commission.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow construction of a two-family twin residence at 1924-1926 Tarragon Drive subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: The subject site was platted as Lot 7 of Buckeye Meadows and is located on the east side of Dondee Road as it curves to become Tarragon Drive, approximately 700 feet south of E. Buckeye Road; Aldermanic District 16 (DeMarb); Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is undeveloped in SR-C3 (Suburban Residential–Consistent 3 District) zoning.

Surrounding Land Use and Zoning:

North: Existing and future two-family twin residences in the Buckeye Meadows Condominium development, zoned SR-C3 (Suburban Residential–Consistent 3 District);

South: Union Pacific Railroad, with industrial and heavy commercial development further to the south in IL (Industrial–Limited District) zoning;

East: Single-family residences in the Anderson Estates subdivision and Lake City Lutheran Church, zoned SR-C1 (Suburban Residential–Consistent 1 District);

West: Existing and future two-family twin residences in the Buckeye Meadows Condominium development, zoned SR-C3; Kingdom Hall of Jehovah’s Witnesses and single-family residences, zoned SR-C1.

Adopted Land Use Plans: The Comprehensive Plan recommends that the subject site and other nearby properties extending north of the Union Pacific Railroad between Stoughton Road and Interstate 39-90 be developed with Low-Density Residential uses. The property is not located within the boundaries of an adopted neighborhood-level plan.

Zoning Summary: The properties are zoned SR-C3 (Suburban Residential–Consistent 3 District):

| Requirements | | Required | Proposed |
|---|---|---------------------------------------|---------------------------------|
| Lot Area | | 8,000 square feet | 19,011 sq. ft. |
| Lot Width | | 50’ | 136.99’ |
| Usable Open Space | | 750 sq. ft. per dwelling unit (1,500) | Adequate |
| Front Yard | | 25’ | 25.2’ from Dondee Road |
| Side Yards | | One-story: 5’ Two-story: 6’ | 15.7’ on south 14.1’ on north |
| Rear Yard | | 35’ | 35.5’ |
| Maximum Building Height | | 2 stories and 35’ | Will comply |
| No. of Parking Stalls | | 1 per dwelling unit | 2 per dwelling unit |
| No. of Accessible Parking Stalls | | N/A for residential | --- |
| Maximum Lot Coverage | | 60% | 33.9% |
| Building Form | | Two-unit-twin | Will comply |
| | | | |
| Other Critical Zoning Items | | | |
| Yes: | Utility Easements | | |
| No: | Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Dev., Adj. to Parkland, Barrier Free | | |
| Prepared by: Pat Anderson, Assistant Zoning Administrator | | | |

Environmental Corridor Status: The properties are not located within a mapped environmental corridor (Map G8).

Public Utilities and Services: The Buckeye Meadows subdivision is served by a full range of urban services.

Previous Approvals

On October 11, 2005, the Common Council approved a request to rezone 8.5 acres located at 4601-4613 E. Buckeye Road from R1 (Single-Family Residence District) and R3 (Single- and Two-Family Residence District), [1966 Zoning Code] and approved the preliminary plat and final plat of Buckeye Meadows, creating 16 two-family lots, 1 single-family lot and 1 outlot for public stormwater management on both sides of Dondee Road. The Plan Commission approved a demolition permit on September 19, 2005 to allow a single-family residence on the property to be demolished as part of its recommendations to the Common Council to approve the zoning map amendment and subdivision. The final plat was recorded on December 11, 2005. The Buckeye Meadows Condominium plat was declared on February 20, 2006.

On January 27, 2014, the Plan Commission approved similar conditional use requests for 1908-1910, 1914-1916 and 1920-1922 Dondee Road to allow construction of a two-family twin residence on Lots 10, 11 and 12 of the Buckeye Meadows subdivision just to the west of the subject site.

Project Description

The applicants are requesting conditional use approval to construct a two-family twin residence on Lots 7 of the Buckeye Meadows subdivision, which is addressed as 1924-1926 Tarragon Drive and is located where that street curves into Dondee Road. The proposed units will include 3 bedrooms, 2 bathrooms and associated living spaces on the first floor. One of the units will have an additional bedroom and bathroom located in a finished basement, while the other unit's basement will not be finished at the present time. Both units will each be provided with front-loaded two-car garages. Complete plans for the proposed two-family residence are included with the application materials for this request.

Analysis & Conclusion

A conditional use is required for the subject site as a result of a provision in the 2013 Zoning Code that requires conditional use approval to allow a two-family twin dwelling to be constructed in SR-C3 zoning within 300 feet of a zoning lot containing another two-family twin building. The 300-foot dispersion provision was incorporated into the SR-C3 district as well as other residence districts that allow other dwelling unit types beyond single-family detached residences, including the TR-C4, TR-V1, and SR-V1 districts, to encourage integration of different unit types throughout a neighborhood and to discourage segregated residential development patterns. The R3 zoning of the Buckeye Meadows development, including the subject site, was transitioned to SR-C3 zoning upon the effective date of the new code. Because building permits had not been requested to allow construction of the two-family dwelling on this site under the R3 zoning prior to the effective date of the new Zoning Code, the lot is required to comply with all of the requirements of the new code, including the dispersion requirements and the minimum residence district design standards for residential entrance orientation and attached garage placement.

The Planning Division believes that the conditional use standards can be met to allow construction of a two-family twin residence on the subject site. In this case, the two-family twin residence will be similar in character to 10 other two-family-twin residences built in the Buckeye Meadows development, which was platted to accommodate a two-family-twin home on 16 of the 17 lots. The development is also subject to a declared condominium plat that anticipates implementation of two-family-twin homes in a fashion similar to what is proposed for this property. Therefore, dispersion in a fashion similar what was intended by the new code seems impractical, and implementation of the 2006 development approvals should be allowed to continue.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow construction of a two-family twin residence at 1924-1926 Tarragon Drive subject to input at the public hearings and the following conditions submitted by reviewing agencies:

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

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

1. The pending Third Amendment and Addendum to the Buckeye Meadows Condominiums declaration and plat shall be recorded prior to the issuance of a building permit for this project.
 2. The submitted drawings show no impacts to the existing storm sewer inlets with the drive apron configuration provided. No work on the inlets shall be allowed without a Permit to Excavate in the Right of Way approved by the City Engineer.
 3. This property already has sanitary laterals stubbed into the lot. It is unclear from the plan whether the applicant intends to use the existing laterals or install new laterals. If the applicant intends to install new laterals, the existing laterals that are unused shall be plugged and a Sewer Plug Permit shall be obtained for that work. In addition, if new laterals are installed a Permit to Excavate in the Right of Way shall be obtained.
4. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
 5. A City-licensed contractor shall perform all work in the public right of way.
 6. All damage to the pavement on Dondee Road and Tarragon Drive adjacent to these projects shall be restored in accordance with the City's Pavement Patching Criteria.
 7. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
 8. 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.
 9. Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

This agency submitted a response with no comments or conditions for this request.

Zoning Administrator (Contact Pat Anderson, 266-5978)

10. Pursuant to Section 28.141(9)(d) of the Zoning Code, the maximum width of each driveway shall not exceed 20'-4"± (the width of the legal parking area). Final plans shall show the width of each driveway at the property line.

Fire Department (Contact Bill Sullivan, 261-9658)

11. Note: Madison Fire Department recommends the installation of a residential fire sprinkler system for each unit in accordance with NFPA 13D and SPS 382.40(3)(e).

Water Utility (Contact Dennis Cawley, 261-9243)

12. Note: All operating private wells shall be identified and permitted and any unused private wells shall be abandoned by the Madison Water Utility in accordance with MGO Section 13.21.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.