



PREPARED FOR THE PLAN COMMISSION

Project Address: 5404 Lake Mendota Drive (19th Aldermanic District, Alder Clear)
Application Type: Demolition and Conditional Use
Legistar File ID #: [37368](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant/Project Contact: Justin Temple; Temple Builders, LLC; 2501 W. Beltline Highway, Madison, WI 53713

Property Owner: David Sheriff and Mary Morgan; 1213 High Point Road, Middleton, WI 53562

Requested Action: Approval of the demolition of a single-family home and a conditional use for construction of a new single-family home on a lakefront property in the Traditional Residential – Consistent 1 (TR-C1) District.

Proposal Summary: The applicant proposes to demolish a single-family home constructed in 1948 and to construct a two-story, 8,512 square foot single-family home with an attached 2-car garage and a detached 2-car garage on a lakefront lot.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition (MGO Section 28.185) and conditional uses (MGO Section 28.183).

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards can be met, but that the conditional use standards cannot be met and *place on file* the request at 5404 Lake Mendota Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The property is on the north side of Lake Mendota Drive between Clifford Court and Norman Way; Aldermanic District 19 (Clear); Madison Metropolitan School District.

Existing Conditions and Land Use: The 23,719 square foot lakefront property has a one-story, 2,660 square foot single-family home, constructed in 1948. The home has a 2-car attached garage and a 2.5-car detached garage.

Surrounding Land Use and Zoning: The subject site is surrounded by single-family homes in the TR-C1 District.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends Low-Density Residential uses for this property.

Zoning Summary: The property is in the Traditional Residential – Consistent 1 (TR-C1) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000	23,718
Lot Width	50	82
Front Yard Setback	20	109
Max. Front Yard Setback	20% greater than block average, 30 max	109
Side Yard Setback	7	7
Lakefront Yard Setback	58	58
Usable Open Space	1,000 sq ft	>1,000 sq ft
Maximum Lot Coverage	50%	46%
Maximum Building Height	2 stories/35 ft	26'1"

Other Critical Zoning Items: Floodplain

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, Analysis, and Conclusion

The applicant proposes to demolish an existing 2,660 square foot single family home and an existing detached garage for the construction of an 8,512 square foot single family home with 1,388 square feet of additional garage space between the attached and detached garages.

The proposed two-story home would be placed 58 feet from Lake Mendota and 7 feet from each of the side property lines. The detached garage on the street side of the home is 75 feet from Lake Mendota Drive, and the home sits behind it, approximately 108 feet from Lake Mendota Drive. The home is 73 feet wide at its widest point closest to Lake Mendota, and 97 feet deep, not counting the detached garage. The home has a flat roof, and is 26 feet tall. The exterior as proposed includes a stone base, with EIFS as the primary material above, and fiber cement lap siding distributed as a secondary material on all facades. Along its 97 foot depth, the home is relatively well articulated, with frequent window openings and second floor balconies.

While there are precedents in this general area for the width proposed, and separate precedents for the depth proposed, there are no precedents with the proposed width and depth together. Thus, the proposed home is significantly larger than anything in the surrounding area (see Table 1 and Figures 1 and 2 below).

Table 1 – Comparison of Bulk with Closest 10 Lakefront Properties

House #	Street	Year Built	Living Area	Total	Lot Area	Floor Area
5426	Lake Mendota Dr	1986	1,636	1,780	12,044	0.15
5422	Lake Mendota Dr	1990	1,489	2,065	16,962	0.12
5418	Lake Mendota Dr	1967	3,192	3,768	26,037	0.14
5412	Lake Mendota Dr	2008	3,380	4,283	24,951	0.17
5406	Lake Mendota Dr	1979	2,520	3,096	15,180	0.20
5400	Lake Mendota Dr	1974	1,852	3,498	12,700	0.28
5212	Harbor Ct	1925	856	856	3,662	0.23
5206	Harbor Ct	2013	3,717	4,293	16,774	0.26
5209	Harbor Ct	1925	1,188	1,630	7,257	0.22
5217	Harbor Ct	1925	1,044	1,602	4,519	0.35
Median				2,581	13,940	0.21
5404	Lake Mendota Dr	Proposed	8,512	9,188	23,720	0.39

* Includes attached garages, finished basements, and enclosed porches from City of Madison Assessor data

Figure 1 – Nearby Lakefront Homes by Total Square Footage

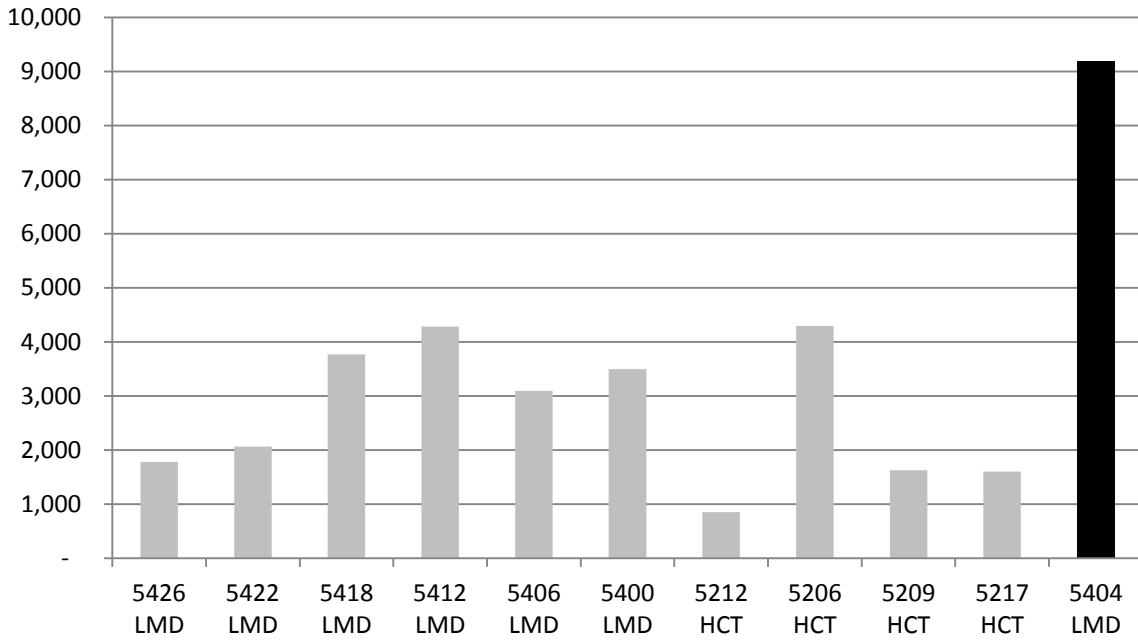
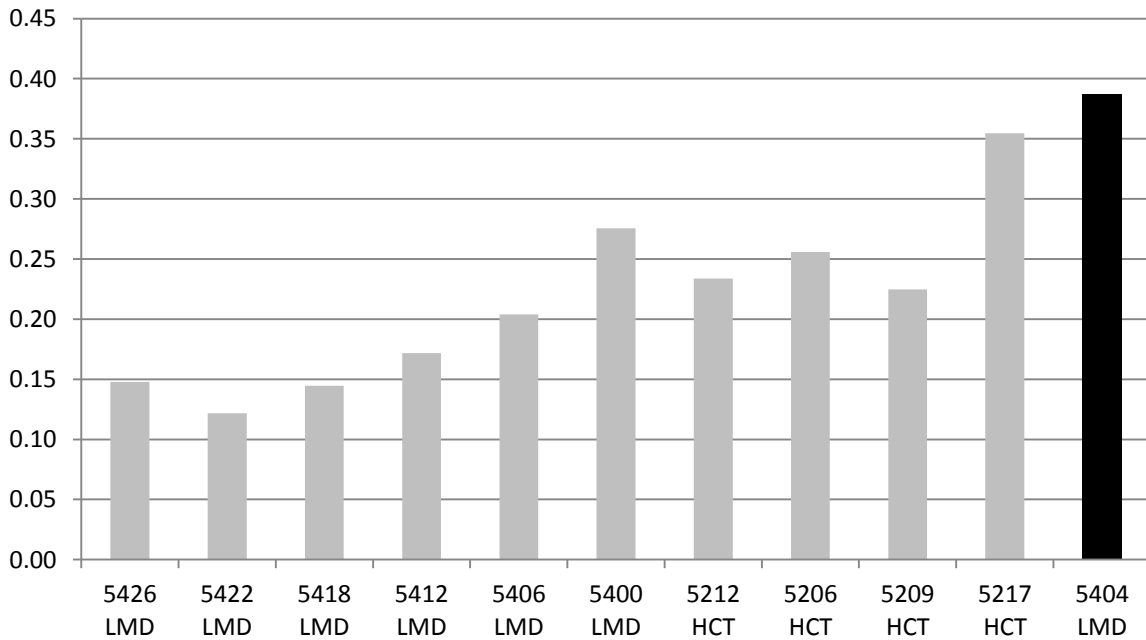


Figure 2 – Nearby Lakefront Homes by Floor Area Ratio



Demolition Standards – Staff believes that the demolition standards can be met with this proposal, noting no comments from the Landmarks Commission or Historic Preservation Planner on the existing home, and noting that base zoning requirements for the TR-C1 District are met with the proposal.

Conditional Use Standards – The Planning Division staff evaluation of the proposed project’s ability to meet the standards for conditional use approval is summarized below.

As stated in MGO Section 28.183(6)(a), *“The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable neighborhood, neighborhood development, or special area plan, including design guidelines as adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the following conditions are present:*

1. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*

Staff believes that this standard is met.

2. *The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.*

Staff believes that this standard can be met.

3. *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*

Staff believes that this standard can be met. While the depth and width of the home is much greater than the existing home, views toward Lake Mendota by neighbors should not be impacted.

4. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

Staff believes that this standard can be met, but notes that while it meets basic zoning requirements, the home is significantly larger than others in the area.

5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided.*

Staff believes that this standard is met.

6. *Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.*

Staff believes that this standard is met.

7. *The conditional use conforms to all applicable regulations of the district in which it is located.*

Staff believes that this standard can be met, so long as all Zoning conditions of approval, including a variance for the front yard setback, are adequately addressed.

9. *When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendations.*

Statement of Purpose for Traditional Residential-Consistent Districts

The TR-C Districts are established to stabilize, protect and encourage throughout the City the essential characteristics of the residential areas typically located on the Isthmus, near East and near West portions of the City, and to promote and encourage a suitable environment for family life while accommodating a full range of life-cycle housing. The districts are also intended to:

- a) Promote the preservation, development and redevelopment of traditional residential neighborhoods in a manner consistent with their district form and residential character.*
- b) Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, façade width, height and proportions, garage and driveway placement, landscaping, and similar design features.*
- c) Maintain and improve the viability of existing housing of all types, while providing for updating of older housing types in a context sensitive manner.*
- d) Maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening.*
- e) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.*

It is unclear whether this standard is met with the proposal. While efforts have been made to minimize impacts of the size of the home with a flat roof and by detaching a two-car garage, the home is so much larger than other larger than other lakefront homes in the area that it is difficult to find that it is compatible with the existing or intended character of the surrounding area.

13. *When applying the above standards to lakefront development under Sec. 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 shown in Table 1 and Figures 1 and 2, staff cautions that the proposed home as revised is well over three times larger than the median size of the five homes on either side of this property. Even when compared to two large homes constructed in the last decade along this stretch of Lake Mendota Drive, which are both approximately 4,300 square feet in size, the proposed home is over two times as large. While the lot itself is comparatively large, the floor area ratio (FAR) for the proposed home, excluding the detached garage is 0.39, while the median FAR for are lakefront properties is 0.21.

While staff appreciates the effort by the applicant to reduce the size of the proposed home by detaching the two-car garage, staff does not believe that the revised proposal is comparable to other homes nearby. Due to the dimensions and overall bulk of the proposed home as compared to surrounding lakefront homes, staff does not believe that this standard is met.

[Standards 8, 10-12, and 14-15 do not apply to this request]

Conclusion- Staff appreciates the applicant’s work to reduce the size of the proposed home by detaching a two car garage and making other adjustments in recent weeks resulting in the proposal before the Plan Commission. Staff believes that the proposal can meet demolition standards for approval, and that most conditional use standards can be met. However, upon careful review, staff cannot find that Conditional Use Standards 12 or 13 are met with the proposal due to the large size of the home when compared with other lakefront homes in this area of the Spring Harbor Neighborhood.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the demolition standards can be met, but that the conditional use standards cannot be met and **place on file** the request at 5404 Lake Mendota Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

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

1. As per the letter of intent for this site, a Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor’s Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
2. The required grading plan shall include information on how water will be allowed to drain between the adjacent properties.
3. Show the limits of the recorded flood plain on the site plans.
4. All damage to the pavement on Lake Mendota Drive, adjacent to this development shall be restored in accordance with the City of Madison’s Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
5. 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. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement (POLICY).

6. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints
 - b) Internal walkway areas
 - c) Internal site parking areas
 - d) Lot lines and right-of-way lines
 - e) Street names
 - f) Stormwater Management Facilities
 - g) Detail drawings associated with Stormwater Mgmt Facilities (including if applicable planting plans)
7. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14)).
 8. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff (MGO 16.23(9)(d)(4)).
 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 (POLICY)

Zoning Administrator (Contact Matt Tucker, 266-4659)

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| <p>10. The TR-C1 district has a maximum front yard setback of 20% greater than block average, 30 feet max. This project as proposed would require a zoning variance.</p> |
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11. Sec. 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, Mr. George Dreckmann. (608-267-2626).
 12. Sec. 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.
 13. Sec. 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
 14. Lakefront development shall comply with MGO 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.

15. Show regulatory floodplain location on final site plan. NOTE: if home building is to be constructed into the regulatory floodplain area, provisions of Sec. 28.121 and 28.123 must be met.

Water Utility (Contact Dennis Cawley, 266-4651)

16. The Madison Water Utility shall be notified to remove the water meter prior to demolition.

17. 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.

Fire Department (Contact Bill Sullivan, 261-9658)

18. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.30(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

No other agencies had comments regarding this proposal