PLANNING DIVISION STAFF REPORT **October 14, 2013**

PREPARED FOR THE PLAN COMMISSION

Project Address: 801 Erin Street

Application Type: Demolition and Rezoning

Legistar File ID #: 31423 and 31545

Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant / Property Owner: Patrick McCaughey; 646 W. Washington Ave., Car D; Madison, WI, 53715

Contact: Arlan Kay; Architecture Network Inc.; 116 E. Dayton St.; Madison, WI 53703

Requested Action: Demolition of a single family home, and rezoning from the TR-C2 (Traditional Residential – Consistent 2) District to the TR-C3 (Traditional Residential – Consistent 3) District for construction of a new single-family home.

Proposal Summary: The applicant proposes to demolish an existing single-family home for the construction of a new single-family home.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition (MGO Section 28.185(7) and Zoning Map Amendments (MGO Section 28.182).

Review Required By: Plan Commission (PC) and Common Council (CC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that demolition and zoning map amendment standards can be met and **approve** the request at 801 Erin Street. 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 subject property is located on the northwest corner of Erin Street and West Shore Drive; Aldermanic District 13 (Ellingson); Madison Metropolitan School District.

Existing Conditions and Land Use: The 3,000 square foot property has a two-story, 1,400 square foot single-family home, constructed in 1923.

Surrounding Land Use and Zoning: With Monona Bay across West Shore Drive to the east, the property is otherwise surrounded by single-family homes in the TR-C2 District. Properties in this area generally range from 5,000 to 6,500 square feet in size, which is significantly larger than the 3,000 square foot subject property.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends continued low-density residential uses in this area.

Zoning Summary: This property is currently zoned TR-C2, and proposed to be rezoned to TR-C3.

TR-C3 District Requirements

Dimensional Requirements	**One-Family Detached**	**Proposed**
Lot Area (sq. ft.)	3,000 sq. ft.	3,000 sq. ft.
Lot Width	30’	37.5’
Front Yard Setback	15’	15’
Reversed Corner Side Yard Setback	8’	8’
Side Yard Setback	10% of lot width	4’ LS
Rear Yard	20’	24’9”
Maximum Lot Coverage	75%	52%
Maximum Building Height	2 stories / 35’	2 stories / 35’
Usable Open Space (sq. ft. / du)	500 sq. ft. / du	362 sq. ft. TBD
Reverse Corner Accessory Building Setback	20’	10’ TBD

Site Design	Required	Proposed
Number Parking Stalls	1 per du	1
Bike Parking	No	No
Landscaping	No	No
Lighting	No	No
Building Forms	Yes	Meets Building Forms

Other Critical Zoning Items: None

This table was prepared by Pat Anderson, 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, including many Metro Transit routes along South Park Street one block to the west.

Related Approvals

The Zoning Board of Appeals on September 12, 2013 failed to approve requested variances for usable open space and the placement of the accessory building by deferring the proposal to a future meeting, which is now scheduled for October 10. They recommended that the applicant reduce the size of the detached garage in order to come closer to meeting the usable open space requirement, and the applicant has made this revision in the latest plan set provided to the Plan Commission.

Project Description

The applicant proposes the demolition of the existing single-family home for construction of a new single-family home and a small detached garage. In order to facilitate the redevelopment on this very small 3,000 square foot property, a rezoning to the TR-C3 District has been requested.

Home Proposed for Demolition

The existing 1,400 square foot home, constructed in 1923, has three bedrooms and one bathroom. There is no existing garage on the property, but it has a short driveway with an off-street parking stall accessed from Erin Street. Photos supplied with the application show that the home is in relatively good condition. It appears that

many interior items would be possible for re-use. A small protrusion on the south side of the house is built up to the property line shared with the property immediately to the south, which also has a single-family home.

Proposed Home

The proposed 3,683 square foot home has four bedrooms and three and one half bathrooms on three finished levels, including a basement, main floor, and second floor. On top of these is a small mezzanine, attic space, and third floor porch facing Monona Bay. At 40 feet deep and 25.5 feet wide, the home meets all required setbacks in the TR-C3 District, which is the zoning being requested in conjunction with the demolition.

The footprint of the proposed home does not differ dramatically from the existing home. In fact, even though it has two and one half times the livable area as the existing home, the proposed home and its 272 square foot detached garage result in lesser impervious surface area than what exists today, based on calculations provided by the applicant.

Clad in steel or cement panels and with a standing seam metal roof, the proposed home is exactly 35 feet tall from the ground to the peak of the roof – the maximum height allowable in single-family residence districts. The home has a large proportion of glass on all facades, especially the east side facing Monona Bay, which is almost entirely glass.

Analysis and Conclusion

Plan Consistency

The proposed rezoning from TR-C2 to TR-C3 is consistent with the Comprehensive Plan (2006) recommendation for low-density residential uses in this area.

Standards for Review

Demolition- The Plan Commission must find that the proposed demolition of the existing single-family home and the proposed use is consistent with the purpose of the demolition section of the Zoning Code (MGO Section 28.185), and with the Comprehensive Plan. The Plan Commission may consider the impacts of the demolition and proposed use on the normal and orderly development and improvement of surrounding properties, reasonableness of efforts to relocate the buildings, and the limits that the location of the buildings would place on relocation efforts.

Staff believes that the standards for demolition can be met with the proposal, as the existing home has no known historic value. However, staff notes that the home is in decent condition, and that it reflects the historic development pattern in this neighborhood. In reviewing the proposed demolition, the Landmarks Commission noted regret for the loss of this home, but did not make a recommendation against demolition.

In this case, staff is unaware of any efforts to relocate the existing home, but would certainly support these efforts if the applicant would choose to pursue this route. At the very least, staff hopes to see a thorough reuse and recycling plan for the reusable materials within the home, as many interior materials appear to be in fair to good condition from the submitted photos.

Zoning Map Amendment-The proposed zoning map amendment for 801 Erin Street from the TR-C2 (Traditional Residential – Consistent 2) District to the TR-C3 (Traditional Residential – Consistent 3) District is consistent with the Comprehensive Plan and the redevelopment it would support is not a detriment to the public health, safety, and welfare.

The TR-C3 district is meant for use on small residential lots such as this 3,000 square foot property, which happens to be the smallest lot in the area, as well as the smallest allowable lot size for a single-family home in

any district. While not in compliance with all TR-C3 requirements (hence seeking variances), the relatively small footprint of the home and its 272 square foot detached garage do come very close to meeting the parameters for development in the TR-C3 District, but would not come close to compliance with the TR-C2 District's deeper required setbacks and larger usable open space requirements. In fact, the buildable area for a home in the TR-C2 District is only 19.5 feet wide and 26 feet deep. This zoning map amendment results in a "spot zoned" property amidst others in the TR-C2 District, but staff consider the rezoning appropriate due to the unique small size of this lot.

As mentioned above, the applicant is seeking zoning variances for a few issues to be resolved by the Zoning Board of Appeals (ZBA) on October 10. First, a usable open space variance is sought in order to allow portions of the reverse corner side yard, or the porches on multiple levels on the east side of the home, to count toward the 500 square foot usable open space requirement. Second, a variance is sought to place the detached garage approximately 10 feet from the Erin Street right-of-way, rather than the 20 foot setback required for accessory buildings on reverse corner lots. An alternative site plan that could address both of these requests simultaneously would be for the applicant to remove the detached garage and instead incorporate a small attached garage. This would increase the usable open space in the rear yard, but would also require a complete redesign of the home and reduce interior living space by about 400 square feet, distributed between the main level and the basement.

The proposed demolition and rezoning appear to meet the relevant standards, and are consistent with plan recommendations for low density residential uses. If the ZBA find that the requested variances can be approved due to the stated hardships, staff supports the project as currently proposed. However, if the ZBA does not approve the requested variances on October 10, staff recommends that the Plan Commission refer the proposal until such time as it either complies with all zoning requirements of the TR-C3 District, or the ZBA approves any variances requested in conjunction with a revised plan. Staff will provide an update to the Plan Commission as to the result of the October 10 ZBA meeting.

Recommendation

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

Assuming the Zoning Board of Appeals, acting on October 10, approved requested variances for usable open space and accessory building placement, the Planning Division recommends that the Plan Commission find that the demolition and zoning map amendment standards are met and **approve** the request at 801 Erin Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Alternatively, if the Zoning Board of Appeals has not approved requested variances, staff recommends that the Plan Commission **refer** the request until such time as a revised plan meets all requirements of the TR-C3 District or the Zoning Board of Appeals grants variances associated with a revised plan, at which time the Plan Commission may resume their review.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Heather Stouder, 266-5974)

1. Either the proposed home must comply with zoning requirements in the TR-C3 District, or the Zoning Board of Appeals must grant requested variances for usable open space and accessory building placement.

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

2. The site plan indicates that the flagstone retaining wall that encroaches a foot or so into Erin Street and West Shore Drive is to remain in its current location. The retaining wall shall be removed from the public right-of-way.
3. The plat of Spohn – Levander Replat of Block 25 Greenbush Addition denotes a 15 foot "Building Line" set back from West Shore Drive. This is also shown on the site plan. The consultant/owner shall confirm with City of Madison Zoning Staff that the proposed new improvements are in conformance with any City of Madison required setbacks.
4. The new house will face West Shore Drive. A new address of 702 West Shore Dr was created 7/25/2013.
5. 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 Management Facilities (including if applicable planting plans)
6. 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)).
7. 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 Pat Anderson, 266-5978)

8. The proposed single family home with detached garage will require Usable Open Space and accessory building setback variances, scheduled to be heard at the October 10 Zoning Board of Appeals meeting.
9. 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, Mr. George Dreckmann (608)267-2626).
10. Section 28.185 (1) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(6)(a5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
11. Provide usable open space calculations on final plans pursuant to Section 28.045(2), 28.211, and 28.140. Applicant has requested a variance from usable open space.

Parks Division (Contact Kay Rutledge, 266-4714)

12. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of *City of Madison Standard Specifications for Public Works Construction* - http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf
13. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID# 13151 when contacting Parks about this project.
14. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Fire Department (Contact Bill Sullivan, 261-9658)

15. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: http://www.homefiresprinkler.org/Consumer/ConsHome.html.

Water Utility (Contact Dennis Cawley, 261-9243)

16. 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.

No other agencies submitted comments or conditions for this request.