



## Report to the Plan Commission

February 4, 2013

**Legistar I.D. #28789**  
**809 Big Stone Trail**  
**Conditional Use**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

**Requested Actions:** Approval of a conditional use for a structure exceeding 10,000 square feet of total floor area and an accessory building in excess of 800 square feet to allow construction of a single-family residence and pool house at 809 Big Stone Trail.

**Note:** The application for this project was filed on November 28, 2012 under the 1966 Zoning Code and is subject to review under that ordinance.

**Applicable Regulations & Standards:** Section 28.08(2)(c)25 first identifies structures including any additions thereto where the total floor area on the zoning lot exceeds 10,000 square feet as a conditional use in the R1 district subject to conditions. The same section identifies accessory buildings exceeding four automobile stalls or 800 square feet as a conditional use in the R1 district. 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 the standards met and **approve** a conditional use to allow construction of a single-family residence exceeding 10,000 square feet and an accessory pool house exceeding 800 square feet at 809 Big Stone Trail, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

### Background Information

**Applicant:** Justin Temple, Temple Builders, LLC; 120 E. Wilson Street, Suite 2; Madison.

**Property Owner:** Paul & Tamara Berns; 9906 Fallen Leaf Drive; Madison.

**Proposal:** The applicant proposes to construct a 16,615 square-foot single-family residence and garage and approximately 800 square-foot pool house for the property owner. The applicant wishes to commence construction as soon as all regulatory approvals have been granted, with completion anticipated in December 2013.

**Parcel Location:** An approximately 2.4-acre parcel located generally north of Old Sauk Road on the east side of Big Stone Trail opposite River Birch Road in the Eighth Addition to Blackhawk subdivision; Aldermanic District 9 (Skidmore); Middleton-Cross Plains School District.

**Existing Conditions:** Undeveloped land, zoned SR-C1 (Suburban Residential-Consistent 1) [formerly R1 (Single-Family Residence District)].

**Surrounding Land Use and Zoning:** The subject site is generally surrounded by a combination of developed and undeveloped single-family residential lots located in the Blackhawk and Greystone subdivisions, all zoned SR-C1 [formerly R1].

**Adopted Land Use Plan:** The Blackhawk Neighborhood Development Plan identifies the subject site and surrounding properties for low-density residential uses.

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

**Public Utilities and Services:** The subject property is served by a full range of urban services.

**Zoning Summary:** The site is zoned SR-C1 (Suburban Residential–Consistent 1) [formerly R1 (Single-Family Residence District)]. The proposed conditional use shall be reviewed under the R1 zoning under which it was submitted.

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	8,000 sq. ft.	105,460 sq. ft.
Lot width	65'	250'
Usable open space	1,300 sq. ft. per lot	Adequate
Front yard	30'	Adequate (to be shown on plans)
Side yards	6' – 1-story   7' - 2-story res.	Adequate (to be shown on plans)
Rear yard	40'	Adequate (to be shown on plans)
Floor area ratio	N/A	---
Building height	2 stories, 35'	1 story
<b>Other Critical Zoning Items</b>		
Yes:	Utility Easements	
No:	Urban Design, Floodplain, Wellhead Protection; Landmark; Adjacent to Park, Barrier Free	
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

**For Informational Purposes Only:** Buildings or structures exceeding 10,000 square feet in floor area are conditional uses in all residential zoning districts in the 2011-2012 Zoning Code. Buildings or structures exceeding 10,000 square feet in floor area in any residential district are further regulated in the new code with supplemental regulations, which state that the building floor area, bulk, height and massing may be limited as part of the conditional use approval in order to ensure compatibility with surrounding uses, and that an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood. The proposed pool house would continue to be a conditional use under the new code, which restricts accessory buildings and structures to more than the lesser of 10% of the lot area or 1,000 square feet unless approved as a conditional use, with a restriction that no individual accessory building or structure shall exceed five hundred 576 square feet in the TR zoning districts or 800 square feet in the other residential districts unless approved as a conditional use.

**Previous Approvals**

---

On December 11, 2012, the Common Council approved the vacation of River Birch Court and approved a Certified Survey Map of property located at 1-15 and 2-8 River Birch Court and 809 Big Stone Trail to combine 7 single-family lots platted in the Eighth Addition to Blackhawk subdivision into 2 large lots for future single-family residential development.

## **Project Review, Analysis & Conclusion**

---

The applicant is requesting approval of a conditional use for a structure exceeding 10,000 square feet of total floor area and an accessory building in excess of 800 square feet to allow construction of an approximately 16,615 square-foot single-family residence and 800 square-foot pool house on an undeveloped 2.4-acre lot located at 809 Big Stone Trail. The site is zoned SR-C1 but is subject to review under the provisions of the R1 zoning district of the 1966 Zoning Code under which it was submitted.

The subject site is characterized by a modest slope from east to west from a modest, tree-covered ridge that extends along the eastern edge of the property. Most of the site is devoid of significant tree cover. The properties generally located to the north, east and west of the site are developed with other single-family residences in the Blackhawk and Greystone subdivisions, while lands to the south are currently undeveloped.

The proposed residence will be a one-story ranch-style home with an exposed lower level along the southeasterly wall. The first floor of the residence will contain 7,834 square feet of finished space, an attached six-car garage (three tandem stalls), and a detached two-car garage connected overhead to the attached garage by a carport. The exposed lower level will contain 6,358 square feet of finished floor area. The interior room layout of the new residence is depicted on the floorplans included in the application materials. The proposed pool house will be located southeast of the proposed principal residence and to the east of an in-ground pool, pool deck and patio that will extend along most of the southeasterly wall of the house.

The proposed single-family residence will be larger than the relatively large single-family residences that have been built in the Blackhawk and Greystone subdivisions. While the site plan submitted with the application does not include setbacks for the proposed buildings, it appears that all of the improvements on the site can meet the setbacks and other bulk requirements of the R1 zoning district. Staff has not received any verbal or written comments expressing concerns with the proposal, and the Blackhawk Neighborhood Home Owners Association previously submitted comments on the Certified Survey Map that created the subject lot expressing support for both the larger lots and the homes that will be built on them, citing for the homes that they will cover less relative lot area than other homes developed within the Blackhawk subdivision. Staff believes that the standards for approval of conditional uses can be met with this request, and that the proposed residence will not have a negative impact on the uses, values and enjoyment or the normal and orderly development of surrounding properties.

## **Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

---

### **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 single-family residence exceeding 10,000 square feet and an accessory pool house exceeding 800 square feet at 809 Big Stone Trail, subject to input at the hearing and the following conditions:

1. Revise the project plans per Planning Division approval prior to the issuance of permits for the new residence as follows:

- 1a. Provide a fully dimensioned site plan for the entire scope of the project, including setbacks from the nearest point of any structure to the adjacent property line;
- 1b. Provide final floorplans and elevations of the proposed pool house.

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

2. The pending CSM shall be recorded prior to the final approval of this conditional use.
3. The McKenzie 300 Corp. [seller of the lot on which the house will be located] shall be required to amend the original subdivision contract (City Contract Number 2187) to accommodate the modifications that are proposed for the public infrastructure related to the vacation of River Birch Court. Additional deposits and surety may be required. This work includes street, curb, and sidewalk modifications to Big Stone Trail and Trappers Trail, reconfiguration of the storm sewer and water main and hydrant on existing River Birch Court and potential modifications to the existing sanitary sewer. The amended subdivision contract shall be completed prior to the approval of the CSM and related site plans.
4. The new house address shall be 815 Big Stone Trail. Please reference this address on all subsequent applications and plan submittals.

5. 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.
6. All work in the public right of way shall be performed by a City-licensed contractor.
7. All damage to the pavement on Big Stone Trail adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
8. 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.
9. 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).
10. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.

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

This agency did not submit a response for this request.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

11. Show building setbacks on the final site plans.

**Parks Division** (Contact Kay Rutledge, 266-4714)  
This agency did not submit a response for this request.

**Fire Department** (Contact Bill Sullivan, 261-9658)

12. The threshold for fire sprinkler installation in commercial buildings is typically 12,000 square feet. This large, open floorplan will contribute to an exponential fire growth, reducing time to evacuate and will impact firefighter safety. In a free burning fire, occupants will have less than 2 minutes to evacuate, and structural collapse can be expected within 10 minutes. The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e).

**Water Utility** (Contact Dennis Cawley, 261-9243)

13. In accordance with MGO 13.21, all operating wells shall be identified and permitted by the Water Utility and all unused private wells shall be abandoned.