



PLANNING DIVISION STAFF REPORT

July 29, 2024

PREPARED FOR THE PLAN COMMISSION

Project Address: 901 Woodward Drive (18th District, Alder Myadze)
Application Type: Demolition Permit and Conditional Use
Legistar File ID # [83960](#) & [84026](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Steve Kaukl; 2747 Nadene Rd; Cottage Grove, WI 53527

Requested Action: The applicant requests approval of a demolition permit to raze an existing single-family residence and a conditional use for lakefront development to construct a new single-family residence.

Proposal Summary: The applicant proposes to demolish the existing house and construct a new two-story residence with attached garage on a lakefront parcel.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition Permits [§28.185 MGO] and Conditional Uses [§28.183 MGO]. §28.138(2) MGO states that new principal buildings on zoning lots abutting Lake Mendota and associated bays require Conditional Use approval.

Review Required by: Plan Commission

Summary Recommendation: The Planning Division recommends the following to the Plan Commission regarding the applications for 901 Woodward Drive. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met and **approve** demolition permit for the existing residence at 901 Woodward Drive subject to the conditions from reviewing agencies beginning on page 5; and
- That the Plan Commission find that standards of approval are met and **approve** the conditional use for lakefront development at 901 Woodward Drive subject to the conditions from reviewing agencies beginning on page 5.

Background Information

Parcel Location: The 10,025-square-foot property is located on the south side of Woodward Drive on Lake Mendota between Little Fleur Lane and Marcy Road. It is located within Alder District 18 (Ald. Myadze) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is a lakefront parcel zoned SR-C1 (Suburban Residential – Consistent 1 district). The site includes an existing 2080-square-foot, two-story, single-family residence. City Assessor's records indicate the home has three bedrooms and three-and-one-half bathrooms and that it was built in 1930.

Surrounding Land Use and Zoning:

North: Across Woodward Drive, single-family residences, zoned SR-C1;

East: Single-family residences, zoned SR-C1;

South: Lake Mendota; and

West: Single-family residences, zoned TR-C1.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2023) recommends Low Residential (LR) uses for the subject parcel. The [Northport-Warner Park-Sherman Neighborhood Plan](#) (2009) does not have specific land use recommendations for the site.

Zoning Summary: The property is zoned SR-C1 (Suburban Residential-Consistent 1).

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000 sq. ft.	10,025 sq. ft.
Lot Width	60'	50.0'
Front Yard Setback	30'	52.0'
Side Yard Setback	One-story: 6' Two-story: 7'	7' east side 11' west side (5)
Lakefront Yard Setback	70.5' Section 28.138(4)(a)1	69.5' (1)
Usable Open Space	1,300 sq. ft.	Adequate
Maximum Lot Coverage	50%	<50% (3)
Maximum Building Height	2 stories/35'	2 stories (4)

Section 28.138(4)(a)1. Lakefront Yard Setback. The average setback of the principal building on the two (2) adjoining lots, provided that the setbacks of those buildings are within twenty (20) feet of one another.

Site Design	Required	Proposed
Number Parking Stalls	Single-family detached dwelling: 1 (location only)	Attached garage
Number Bike Parking Stalls	Single-family detached dwelling: None	Attached garage
Landscaping and Screening	Inventory of shoreline vegetation	Yes
Building Form and Design	Yes	Single-family detached building

Other Critical Zoning Items	Floodplain, Utility Easements
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Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: While the property is not located in a mapped environmental corridor, a small area near the shoreline is partially located within the 1% flood storage district.

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 the existing house and detached garage at 901 Woodward Drive and construct a new two-story residence on a lakefront parcel. The proposed new house would be 4,314 square feet (gross) in floor area, with three bedrooms and four bathrooms. The new house would include an attached three-stall garage on the street-facing (north) facade. Because of the topography of the lot, sloping down toward Lake Mendota to

the south, the lower level would be partially exposed with a walk-out basement. According to the letter of intent, there are no trees or shrubs located with 35 feet of the ordinary high water mark that are intended to be removed. If approved, the applicant plans to begin construction in August 2024, with completion by January 2025.

Consistency with Adopted Plans

The [Comprehensive Plan](#) (2023) recommends Low Residential (LR) for this site, a land use designation predominantly made up of single-family and two-unit structures, but that may include smaller two-, three-, and four-unit apartment buildings and rowhouses. The [Northport-Warner Park-Sherman Neighborhood Plan](#) (2009) does not have specific land use recommendations for the site. In considering the adopted plan recommendations, the Planning Division believes that the proposed use is generally consistent with the [Comprehensive Plan](#) and the [Northport-Warner Park-Sherman Neighborhood Plan](#).

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison.

The Planning Division believes that the standards for Demolition Permits can be met, but provides the following comments regarding standard 4, which states *“That the Plan Commission has received and considered the report of the City’s Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.”* At its July 1, 2024 meeting, the Landmarks Commission found that the existing building at 901 Woodward Drive has no known historic value.

Planning Division staff believe all other standards of approval can be met or are not applicable to this request.

Conditional Use & Lakefront Development Standards

The Plan Commission shall not approve a Conditional Use without due consideration of the City’s adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met. Staff notes that state law requires that conditional use findings must be based on “substantial evidence” that directly pertains to each standard and not based on personal preference or speculation.

The lakefront development standards found in §28.138 MGO were established to further the maintenance of safe and healthful conditions by preserving and enhancing water quality, habitats, viewsheds, and other environmental and aesthetic qualities of lakes. This section includes additional regulations including limitations on the clearing of shoreline vegetation, requirements for public sewer, environmental protections, and additional lot coverage standards. §28.138(4)(a) includes the methodology to establish the building setback from the lake. The house shown on the site plan has a 69.5-foot setback, but the calculated lakefront yard setback is 70.5 feet. According to the office of the Zoning Administrator, the lakefront setback distance shall be measured from the ordinary high water mark to the proposed balcony/elevated deck and must be adjusted. A balcony or a deck elevated over three feet above adjacent ground level may not encroach into the lakefront yard setback.

The conditional use standard for lakefront development (Standard 12) states that “when applying the above standards to lakefront development under MGO §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 an estimate of total bulk, Staff utilized City Assessor’s data to estimate principal building size for the homes on the five (5) developed lots to the east and west of the subject property. This calculation includes aboveground living areas, enclosed porches, and estimated attached garage space. Using this analysis, Staff found that the principal building sizes range from approximately 1,512 to 7,998 square-feet. The median size of the surrounding homes is approximately 2,950 square-feet, compared to the roughly 4314 square-feet for the proposed principal structure. The Zoning Code’s definition of bulk also includes FAR, or floor area ratio, which compares the total building floor area (on all floors, including the basement) to lot area. (A FAR of 1.0 would indicate that the total building floor area is equal to the lot area.) The calculated FAR for the proposed principal structure is 0.430, which is both higher than the estimated median 0.258 FAR for the surrounding homes and outside the range of nearby homes (0.182 to 0.420).

While the proposed structure is larger than the median of the surrounding residences, the merits of the new home should not be based solely on size. The conditional use approval must be made only with due consideration of the standards in §28.183 MGO, especially Standard 12 regarding the height and bulk of this lakefront development. Staff notes that while the proposal is the largest house in the surrounding area in terms of FAR, it is nearly half the size of the largest housing in the surrounding area in terms of bulk. Furthermore, most of the houses in the surrounding area have detached garages and other accessory buildings such as boat houses, while this proposal includes an attached garage, increasing its bulk. Lastly, in keeping with the Zoning Administrators findings, this proposal is in compliance with lot coverage and open space requirements per MGO §28.042. Staff does not have evidence that the proposed residence would not meet applicable standards.

§28.031(3) MGO states that, in order to avoid the monotonous and pedestrian-unfriendly appearance of facades dominated by garage doors, any street-facing wall that contains an attached garage door may occupy no more than fifty percent (50%) of the width of that building facade, measured at grade. That portion of the façade that contains the garage door must be recessed at least two (2) feet behind the remainder of the facade. The Plan Commission may reduce or eliminate this requirement as part of the conditional use process in the case of lakefront lots where physical constraints make compliance infeasible. Staff believes that due to the width of the lot and the prevailing location and design of garage doors near the subject site that the Plan Commission can eliminate this requirement as part of this conditional use request.

Conclusion

When considering the adopted plans, the design and bulk of the proposed new residence in the context of the surrounding development pattern, and the recommendation of the Landmarks Commission, the Planning Division believes that the standards for demolition permits, conditional uses, and lakefront development can be found met.

At the time of report writing, staff is unaware of public comment regarding this request.

Recommendation

Planning Division Recommendation (Contact Colin Punt, (608) 243-0455)

The Planning Division recommends the following to the Plan Commission regarding the applications for 901 Woodward Drive. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met and **approve** demolition permit for the existing house at 901 Woodward Drive subject to the conditions from reviewing agencies below; and
- That the Plan Commission find that standards of approval are met and **approve** the conditional use for lakefront development at 901 Woodward Drive subject to the conditions from reviewing agencies below.

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

Planning Division (Contact Colin Punt, (608) 243-0455)

1. The Plan Commission finds that physical constraints make compliance infeasible with the attached garage setback requirement found in §28.031(3) MGO.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

2. Adjust the house location to comply with the lakefront yard setback. The lakefront yard setback is 70.5 feet. The lakefront setback distance shall be measured from the ordinary high water mark to the proposed balcony/elevated deck. A balcony or a deck elevated over three feet above adjacent ground level may not encroach into the lakefront yard setback.
3. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.
4. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 50%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
5. Show the height of the proposed single-family residence on the elevations. The maximum height is 35 feet. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district. Height shall be measured from the natural grade prior to redevelopment.
6. Show the side yard setback distance of the covered entry porch. The covered entry porch may not encroach into the 7 foot side yard setback.

Engineering Division (Main Office) (Contact Brenda Stanley, (608) 261-9127)

7. Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.) This permit application is available and must be completed on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO 10.08)
8. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off,

unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) 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. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
10. Revise the site plan 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)

Engineering Division (Mapping) (Contact Jeff Quamme, (608) 266-4097)

11. Confirm the sewer if the sewer access structure on the east lot line serves the property to the west. If not, the sanitary sewer easement per Doc No 913603 can be partially released and an access easement for access and maintenance of the sewer granted over the east 7.5 feet of the lot. If the property to the west is served from this manhole, a consent to occupy easement agreement and above access easement shall be drafted and recorded for the portion of the patio and any other improvement lying within the existing easement area. Contact Jeff Quamme to coordinate an appropriate Real Estate project.

12. The site plan shall show the existing sanitary sewer per Doc 913603 and any proposed modification thereto.

Fire Department (Contact Matt Hamilton, (608) 266-4457)

13. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org>

Forestry Section (Contact Jeff Heinecke, (608) 266-4890)

14. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.

The Traffic Engineering Division, Water Utility, Metro Transit, and Parking Utility have reviewed this request and have recommended no conditions of approval.