



PREPARED FOR THE PLAN COMMISSION

Project Address: 2500 Waunona Way (14th Aldermanic District, Ald. Carter)
Application Type: Demolition Permit and Conditional Use
Legistar File ID # [52568](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant : Mark M. Wohlferd; Design Shelters, LLC.; 3207 Glacier Ridge Road; Middleton, WI 53562
Contact: Kirk Waage; Design Shelters, LLC.; 3207 Glacier Ridge Road; Middleton, WI 53562
Property Owner: Steven Fauska; 2500 Waunona Way; Madison, WI 53713

Requested Action: The applicants request approval of a demolition permit and conditional use to allow a single-family residence to be demolished and a new single-family residence to be constructed in TR-C1-zoning on a lakefront property at 2500 Waunona Way.

Proposal Summary: The applicant proposes to demolish an existing 1½-story residence (and an existing, detached garage) before constructing a two-story, roughly 5,167-square-foot, single-family residence with an attached garage. This new structure will be located in the same general area as its predecessor and will require conditional use consideration.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal permits [Section 28.185(7)], Lakefront Development [Section 28.138] and Conditional Uses [Section 28.183]. Section 28.138(2)(a) of the Zoning Code states that all new principal buildings on a lakefront lot is a Conditional Use.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for demolition and removal; lakefront development; and conditional uses are met and **approve** the demolition permit as well as conditional use request to demolish an existing 1½-story house and construct a new single-family residence in TR-C1-zoning on a lakefront lot at 2500 Waunona Way. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 11,775-square-foot (approximately 0.27-acre) subject property is located on the north side of Waunona Way, in between the intersections with Raywood Road and Fayette Avenue. The site is within Aldermanic District 14 (Ald. Carter), as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes the existing 1,652-square-foot, 1½-story single-family home with a detached two-car garage. The home was originally constructed in 1890 and has three bedrooms and two bathrooms.

Surrounding Land Use and Zoning:

North: Lake Monona;

South: Across Waunona Way, single-family residences zoned (Traditional Residential-Consistent 1 (TR-C1), with Waunona Park beyond;

East: Single-family residences, zoned TR-C1; and

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

Adopted Land Use Plan: Both the [Comprehensive Plan \(2006\)](#) and the [Broadway-Simpson-Waunona Neighborhood Plan \(1986\)](#) recommend low-density residential development for the subject site and surrounding properties.

Zoning Summary: The property is zoned TR-C1 (Traditional Residential-Consistent 1).

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	11,775 sq. ft.
Lot Width	50'	60.0'
Front Yard Setback	20'	60' 6"
Max. Front Yard Setback	30' or up to 20% greater than block average	60' 6"
Side Yard Setback	One-story: 6' Two-story: 7'	9' 0" west 11' 0" east
Lakefront Yard Setback	40.0' Section 28.138(4)(a)1.	52'
Usable Open Space	1,000 sq. ft.	Adequate
Maximum Lot Coverage	50%	Less than 50%
Maximum Building Height	2 stories/ 35'	2 stories/ Less than 35'

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 20 feet of one another.

Site Design	Required	Proposed
Number Parking Stalls	Single-family detached dwelling: 1 (location only)	Attached garage
Landscaping	Inventory of shoreline vegetation	Yes
Building Forms	Yes	Single-family detached dwelling

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

Environmental Corridor Status: The property is not located in an environmental corridor.

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

Project Description

The applicant first proposes to demolish an existing 1½-story single-family lakefront residence along with the existing detached two-car garage (the existing boathouse however, will remain). This will require a demolition permit. The applicant then proposes to construct a two-story, roughly 5,167-square-foot, single-family residence. The residence will be located in the same general area as its predecessor while the garage, now attached, will be shifted to the west to align with the residence. The new structure will require conditional use consideration.

The existing home was constructed in 1890 according to City Assessor's records. It includes 1,652 square-feet of living area with three bedrooms and two bathrooms. The site also includes an existing two-car detached garage. Photos of the existing residence have been included in this application and are available at: <https://madison.legistar.com/View.ashx?M=F&ID=6393967&GUID=E6FB5E12-D3EF-4FAC-AC63-5BD74F34D11A>.

The proposed building will be two-stories above grade with a basement. Exterior materials will consist of EIFS (i.e. lightweight synthetic insulation wall cladding) for the siding as well as trim, and a cultured stone veneer for the lower parts of the entry columns as well as a portion of the easterly façade. Architectural-grade asphalt shingles will be the primary roof cladding material while metal will be used for the shed roof above the front entry stoop.

Regarding landscaping, no notable changes to the site's existing trees and shrubs are planned aside from the removal of two diseased oak trees located within the area 35 feet inland from the normal waterline.

Analysis and Conclusion

This proposal is subject to the approval standards for Demolition and Removal, Conditional Uses, and Lakefront Development.

Demolition Details & Standards

Per MGO §28.185(7), in order to approve a demolition request, the Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section and the intent and purpose expressed in the TR-C1 (Traditional Residential – Consistent 1) Zoning District. A copy of this Statement of Purpose has been included as Attachment 1. The demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties, and the reasonableness of efforts to relocate the building. Furthermore, the proposal should be compatible with adopted plans. Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission.

Staff believes that the demolition standards can be met with this proposal. This proposal is consistent with the [Comprehensive Plan \(2006\)](#) and [Broadway-Simpson-Waunona Neighborhood Plan \(1986\)](#) recommendations for low-density residential land use. Moreover, the removal of the existing home is not anticipated to have a negative impact on either the normal and orderly development or the improvement of surrounding properties. Lastly, at their July 9, 2018 meeting, the Landmarks Commission found that building itself was not historically, architecturally, or culturally significant.

Conditional Use Standards

In regards to the approval 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. Standard 13 relates exclusively to lakefront development which states that "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 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 on the east and west sides of the subject property. This calculation for bulk includes living areas, enclosed porches, finished and unfinished basement areas, and estimated attached garage space. Using this analysis, staff found that the principal building sizes range from approximately 1,346 to 6,244 square-feet, compared to roughly 5,170 square-feet for the proposed principal structure (which is approximately 1,842 square-feet, or 55-percent, **above** the median of 3,328 square-feet).

The Zoning Code’s definition of bulk also includes the Floor-to-Area Ratio, or FAR, which compares the total building floor area (on all floors) to lot area. For example, a FAR of 1.0 indicates that the total building floor area is equal to the lot area. The calculated FAR for the adjacent lots along Waunona Way range from 0.10 to 0.42. The calculated FAR for the proposed principal structure is **0.41** compared to the 0.24 estimated median for the surrounding homes. In regards to height, the proposed home appears to be roughly 27 feet in height, well under the 35-foot maximum allowable height of the Traditional Residential-Consistent 1 (TR-C1) District.

Staff believes Conditional Use Standard #4 which states that, “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” can be found met. While the proposed bulk and FAR calculations are both above the median for the surrounding properties, they are both within the existing range. The Planning Division believes that the Conditional Use Standards for this request can be found met.

Lakefront Development Standards

The lakefront development standards 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. This section also includes the methodology to establish the building setback from the lake. In keeping with the Zoning Administrator’s findings, Planning Staff believes that the lakefront development standards can be found met.

At the time of report writing, staff was not aware of concerns regarding this proposal.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find that the standards for demolition and removal; lakefront development; and conditional uses are met and **approve** the demolition as well as conditional use request to demolish an existing 1½-story house and construct a new single-family residence in TR-C1-zoning on a lakefront lot at 2500 Waunona Way. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Chris Wells, (608) 261-9135)

1. The following information is provided for the reference of the applicant as many lakefront properties are associated with locations of Native effigy mounds and archaeological sites.

Burial Sites Preservation (§ 157.70):

(2r) Site Disturbance Prohibited. Except as provided under subs (4) and (5) and State Statute 157.111 and 157.112, no person may intentionally cause or permit the disturbance of a burial site or catalogued land contiguous to a catalogued burial site.

(3) Report of Disturbed Burial Sites. (a) Except as provided under s. 979.01, a person shall immediately notify the Wisconsin Historical Society (608-264-6502) if the person knows or has reasonable grounds to believe that a burial site or the cataloged land contiguous to a cataloged burial site is being disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

Many lakefront properties are associated with locations of Native American effigy mounds and archeological sites. This site is known to be associated with archeological and historic resources. The Burial Sites Preservation statute requires that the property owner contact the Wisconsin Historical Society to discuss the location of the proposed project and any possible disturbance of an archaeological or historic resource before the work commences. During the construction work, if a burial site disturbance occurs, the work shall stop immediately until the Wisconsin Historical Society is able to assess the site.

Engineering Division (Main Office) (Contact Tim Troester (608) 267-1995)

3. 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. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
4. The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY)
5. A portion of this project comes under the jurisdiction of the WDNR for wetland or wetland indicator soils issues. A permit for those matters may be required prior to construction on any of the lots currently within the jurisdictional wetland or wetland indicator area. (NOTIFICATION)
6. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. An Erosion Control Permit shall be required for the demolition.
7. Applicant shall show the regulatory 100 year floodplain on the plan set.

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

7. Assessor's records indicate property owner is Robert D Gill Rev Trust. Application indicated owner is Steven Fauska. Record Deed to transfer ownership.

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

The agency reviewed this request and has recommended no conditions of approval.

Zoning (Contact Jenny Kirchgatter, (608) 266-4429)

8. 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, Bryan Johnson (608-266-4682).

9. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
10. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
11. Filling, grading and excavation of the zoning lot may be permitted only where protection against erosion, sedimentation and impairment of fish and aquatic life has been assured. Obtain necessary erosion control permits.
12. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

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/building-residential-fire-sprinklers/>
14. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Tracy Burrus at tburrus@cityofmadison.com or (608)266-5959.

Parks/Forestry Review (Contact Sarah Lerner, (608) 261-4281)

The agency reviewed this request and has recommended no conditions of approval.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

15. A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266-4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.
16. Upon completion of the private well inspection, the Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266- 4765 to schedule the meter removal appointment.
 17. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

18. Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

Metro Transit (Contact Timothy Sobota, (608) 261-4289)

The agency reviewed this request and has recommended no conditions of approval.