



PREPARED FOR THE PLAN COMMISSION

Project Addresses: [32527](#) – 1908-1910 Dondee Road
& Legistar File ID # [32528](#) – 1914-1916 Dondee Road
 [32529](#) – 1920-1922 Dondee Road

Application Type: Conditional Use (3 separate applications)

Prepared By: Timothy M. Parks, Planning Division
 Report includes comments from other City agencies, as noted.

Summary

Applicants & Property Owners:

- 1908-1910 Dondee Road: Eric & Kristina Gordon; 10 Lamplighter Way; Madison.
- 1914-1916 Dondee Road: Donald & Diana Imhoff; 18 Lamplighter Way; Madison.
- 1920-1922 Dondee Road: Michael & Jeryn Vesperat; 6305 Southern Circle; Monona.

Requested Action: Approval of a conditional use to allow construction of a two-family twin residence on each parcel within 300 feet of a zoning lot containing another two-family twin building.

Proposal Summary: The applicants wish to construct two-family twin dwellings on 3 lots platted for two-family residences as part of the approval and ongoing implementation of the Buckeye Meadows development. The applicants for these conditional use requests will commence construction as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: Section 28.037(2)(a) of the Zoning Code states that no two-family twin dwelling shall be constructed or converted in the SR-C3 (Suburban Residential–Consistent 3 District) within 300 feet of a zoning lot containing another two-family twin building, as measured from the perimeter of each zoning lot, unless approved by conditional use. Section 28.183 provides the process and standards for the approval of conditional use permits.

Review Required By: Plan Commission.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional use requests for 1908-1910, 1914-1916 and 1920-1922 Dondee Road to allow construction of a two-family twin residence on each parcel subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: The subject site were platted as Lots 10, 11 and 12 of Buckeye Meadows and are located on the west side of Dondee Road approximately 500 feet south of E. Buckeye Road; Aldermanic District 16 (DeMarb); Madison Metropolitan School District.

Existing Conditions and Land Use: The 3 sites are undeveloped in SR-C3 (Suburban Residential–Consistent 3 District) zoning.

Surrounding Land Use and Zoning:

North: Existing and future two-family twin residences in the Buckeye Meadows Condominium development, zoned SR-C3 (Suburban Residential–Consistent 3 District);

South: Union Pacific Railroad, with industrial and heavy commercial development further to the south in IL (Industrial–Limited District) zoning;

East: Single-family residences in the Anderson Estates subdivision and Lake City Lutheran Church, zoned SR-C1 (Suburban Residential–Consistent 1 District);

West: Kingdom Hall of Jehovah’s Witnesses and single-family residences, zoned SR-C1.

Adopted Land Use Plans: The Comprehensive Plan recommends that the subject site and other nearby properties extending north of the Union Pacific Railroad between Stoughton Road and Interstate 39-90 be developed with Low-Density Residential uses. The properties are not located within the boundaries of an adopted neighborhood-level plan.

Zoning Summary: The properties are zoned SR-C3 (Suburban Residential–Consistent 3 District):

Requirements	Required	Proposed
Lot Area	8,000 square feet	All 3 requests are adequate
Lot Width	50’	All 3 requests are adequate
Usable Open Space	750 sq. ft. per dwelling unit (1,500)	All 3 requests are adequate
Front Yard	25’	All 3 requests are adequate
Side Yards	One-story: 5’ Two-story: 6’	All 3 requests are adequate
Rear Yard	35’	All 3 requests are adequate
Maximum Building Height	2 stories and 35’	All 3 requests will comply
No. of Parking Stalls	1 per dwelling unit	2 per dwelling unit
No. of Accessible Parking Stalls	N/A for residential	---
Maximum Lot Coverage	60%	(See proposed conditions)
Building Form	Two-unit twin	All 3 requests will comply
Other Critical Zoning Items		
Yes:	Utility Easements, Barrier Free	
No:	Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development, Adjacent to Parkland	
<i>Prepared by: Pat Anderson, Assistant Zoning Administrator</i>		

Environmental Corridor Status: The properties are not located within a mapped environmental corridor (Map G8).

Public Utilities and Services: The Buckeye Meadows subdivision is served by a full range of urban services.

Previous Approvals

On October 11, 2005, the Common Council approved a request to rezone 8.5 acres located at 4601-4613 E. Buckeye Road from R1 (Single-Family Residence District) and R3 (Single- and Two-Family Residence District), [1966 Zoning Code] and approved the preliminary plat and final plat of Buckeye Meadows, creating 16 two-family lots, 1 single-family lot and 1 outlot for public stormwater management on both sides of Dondee Road.

The Plan Commission approved a demolition permit on September 19, 2005 to allow a single-family residence on the property to be demolished as part of its recommendations to the Common Council to approve the zoning map amendment and subdivision. The final plat was recorded on December 11, 2005. The Buckeye Meadows Condominium plat was declared on February 20, 2006.

Project Description

The applicants are requesting conditional use approval to construct two-family twin residences on Lots 10, 11 and 12 of the Buckeye Meadows subdivision, addressed as 1908-1910, 1914-1916 and 1920-1922 Dondee Road, respectively. Each of the units will include 2 bedrooms, 2 bathrooms and associated living spaces as shown on the plans submitted with the application materials. The proposed units will each be provided with front-loaded two-car garages and full, unfinished basements.

Analysis & Conclusion

A conditional use is required for each lot as a result of a provision in the new Zoning Code, which requires conditional use approval to allow a two-family twin dwelling to be constructed in SR-C3 zoning within 300 feet of a zoning lot containing another two-family twin building. The 300-foot dispersion provision was incorporated into the SR-C3 district as well as other residence districts that allow other dwelling unit types beyond single-family detached residences to encourage integration of different unit types throughout a neighborhood and to discourage segregated residential development patterns, including the TR-C4, TR-V1, and SR-V1 districts. The R3 zoning of the Buckeye Meadows development, including the 3 subject sites, was transitioned to SR-C3 zoning upon the effective date of the new code. Because building permits had not been requested to allow construction of the two-family dwellings under the R3 zoning of the lots prior to the effective date of the new Zoning Code, the lots are required to comply with all of the requirements of the new code, including the dispersion requirements and the minimum residence district design standards for residential entrance orientation and attached garage placement.

The Planning Division believes that the conditional use standards can be met for the 3 applications to construct two-family twin residences on the subject lots. In this case, the 3 proposed two-family twin residences will be similar in character to 7 other two-family twin residences previously built in the Buckeye Meadows development, which was platted to accommodate a two-family twin home on 16 of the 17 lots. The development is also subject to a declared condominium plat (attached) that anticipates implementation of two-family twin homes in a fashion similar to what is proposed for the 3 subject lots. Therefore, dispersion in a fashion similar what was intended by the new code seems impractical, and implementation of the 2006 development approvals should be allowed to proceed.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional use requests for 1908-1910, 1914-1916 and 1920-1922 Dondee Road to allow construction of a two-family twin residence on each parcel subject to input at the public hearings and the following conditions submitted by reviewing agencies (applies to each application unless noted):

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

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

1. *For 1908-1910 Dondee Road:* Units 1908 and 1910 per this plan are different in size and composition from the units as declared on Buckeye Meadows Condominiums. The units shown are larger and also contain basement areas. A Condominium Amendment and Condominium Plat Addendum shall be approved by the City and recorded and the Dane County Register of Deeds prior to issuance of a building permit.
2. *For 1914-1916 Dondee Road:* Units 1914 and 1916 per this plan are different in size and composition from the units as declared on Buckeye Meadows Condominiums. The units shown are larger and also contain basement areas. A Condominium Amendment and Condominium Plat Addendum shall be approved by the City and recorded and the Dane County Register of Deeds prior to issuance of a building permit.
3. *For 1920-1922 Dondee Road:* Units 1920 and 1922 per this plan are different in size and composition from the units as declared on Buckeye Meadows Condominiums. The units shown are larger and also contain basement areas. A Condominium Amendment and Condominium Plat Addendum shall be approved by the City and recorded and the Dane County Register of Deeds prior to issuance of a building permit.
4. For all 3 conditional use applications, a detailed site grading and drainage plan shall be reviewed and approved by the City Engineering Division prior to release of the building permits.

For all 3 conditional use applications:

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. A City-licensed contractor shall perform all work in the public right of way.
7. All damage to the pavement on Dondee Road adjacent to these projects shall be restored in accordance with the City's Pavement Patching Criteria.
8. The plan sets 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) are due and payable prior City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey

(261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering Division signoff

11. Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.

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

For all 3 conditional use applications:

12. When the applicant shall submit plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing and proposed property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'. Contact Traffic Engineering staff if you have questions.
13. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City-owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs, including engineering, labor and materials for both temporary and permanent installations.
14. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
15. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Pat Anderson, 266-5978)

For all 3 conditional use applications:

16. Pursuant to Section 28.141(8)(c) 5 of the Zoning Code, a maximum of 40% of the front yard setback may be paved and used for driveway purposes provided lot coverage requirements are not exceeded. Provide a fully dimensioned site plan drawn to scale and show calculations and details of paved area in the front yard setback on final plans.
17. Provide calculations of lot coverage as defined in Section 28.211 of the Zoning Code.

Fire Department (Contact Bill Sullivan, 261-9658)

18. Note: Madison Fire Department recommends the installation of a residential fire sprinkler system for each unit in accordance with NFPA 13D and SPS 382.40(3)(e).

Water Utility (Contact Dennis Cawley, 261-9243)

For all 3 conditional use applications:

19. Note: All operating private wells shall be identified and permitted and any unused private wells shall be abandoned by the Madison Water Utility in accordance with MGO Section 13.21.

Parks Division (Contact Kay Rutledge, 266-4714)

For all 3 conditional use applications:

20. Approval of the 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. All proposed street tree removals within the right of way shall be reviewed by City Forestry.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.