

PLANNING DIVISION STAFF REPORT

July 8, 2024



PREPARED FOR THE PLAN COMMISSION

Project Address: 2604 Waunona Way (District 14, Alder Knox)
Application Type: Conditional Use
Legistar File ID # [83736](#)
Prepared By: Lisa McNabola, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Property Owner: Lora and Tim Brown; 2604 Waunona Way, Madison, WI 53713

Applicant & Contact: David Zielsdorf; Aldo Partners; 507 Bruce St Suite 103, Verona, WI 53593

Requested Action: Consideration of a conditional use to construct an accessory building on a lakefront parcel at 2604 Waunona Way.

Proposal Summary: The applicant is seeking approval to add a second story on an existing one-story accessory building on a lakefront parcel. The proposed accessory building consists of a garage with an Accessory Dwelling Unit (ADU). While an ADU is a permitted use, all new accessory buildings on lakefront properties require conditional use consideration.

Applicable Regulations & Standards: Standards for conditional use approvals are found in MGO Section 28.183(6). General Regulations for lakefront development are found in MGO Section 28.138. Supplemental Regulations for ADUs are found in MGO Section 28.151.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to construct an accessory building on a lakefront parcel at 2604 Waunona Way. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 18,548 square-foot (.42-acre) parcel is located along Waunona Way between Raywood Road and Woodley Lane. It is located within Alder District 14 and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is occupied by a one-story, approximately 2,752 square-foot single family residence with a detached garage. Per data from the Assessor's Office, the residence was built in 1892. It is zoned Traditional Residential-Consistent 1 (TR-C1) District.

Surrounding Land Use and Zoning:

North: Lake Monona;

East: Single family residential, zoned Traditional Residential-Consistent 1 (TR-C1) District;

South: Across Waunona Way, single family residential, zoned TR-C1 District; and

West: Single family residential, zoned TR-C1 District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) development for the subject site. The [Broadway-Simpson-Waunona Neighborhood Plan](#) (1986) recommends Residential Low-Medium Density development for the subject site.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	18,547.59 sq. ft.
Lot Width	50'	64'
Front Yard Setback	20'	23.4'
Max. Front Yard Setback	30' or up to 20% greater than block average	23.4'
Side Yard Setback	One-story: 6' Two-story: 7'	8.1'
Lakefront Yard Setback	77.0'	Adequate
Usable Open Space	1,000 sq. ft.	Adequate
Maximum Lot Coverage	50%	<50%
Maximum Building Height: ADU	25'	<25' (3)

Site Design	Required	Proposed
Number Parking Stalls	Single-family detached dwelling: 1 (location only) ADU: None	Existing detached garage
Number Bike Parking Stalls	Single-family detached dwelling: None ADU: None	Existing detached garage
Landscaping and Screening	Not required	None
Building Form and Design	Not required	Accessory building

Table 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 located within the flood storage district.

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

Project Description, Analysis, and Conclusion

Project Description

The applicant is requesting approval to construct a 720 square-foot second story addition on an existing 720 square-foot accessory building (detached garage). All new accessory buildings on lakefront properties require conditional use consideration.

The detached garage is located on the street-side of the subject property. The building height measured at the front of the building is 22 ft. 6 in. The proposed building consists of a garage on the first floor and an Accessory Dwelling Unit (ADU) on the second floor. An ADU is a permitted use in the Traditional Residential-Consistent 2 (TR-C2) District. The dwelling unit itself would be 720 square feet in area. An exterior staircase would be constructed along the north façade to provide access to the ADU and a 64 square-foot deck.

Lakefront Development Regulations

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.

Staff believe the lakefront development regulations are met.

Supplemental Regulations

Accessory Dwelling Units are subject to the following Supplemental Regulations:

- a) The principal dwelling shall not contain more than eight (8) dwelling units.
- b) No more than one (1) accessory dwelling unit may be located on a lot.
- c) The number of occupants of the accessory dwelling unit shall not exceed one (1) family.
- d) The accessory dwelling unit shall not be sold separately from the principal dwelling.
- e) The maximum height of a detached building containing an accessory dwelling unit, including one built above a garage or similar space, shall be twenty-five (25) feet. Height shall be measured as a principal building pursuant to Sec. 28.134(1)(b).
- f) The maximum size of an accessory dwelling unit shall be nine hundred (900) square feet.
- g) An accessory dwelling unit shall contain no more than two (2) bedrooms.
- h) The minimum setback requirements shall be those for accessory building or structures of the underlying zoning district.
- i) Accessory dwelling unit entry ways within a rear or side yard shall be connected to a street frontage by a paved walkway or driveway.
- j) For accessory dwelling units constructed within the principal building, the appearance or character of the principal building shall not be significantly altered so that its appearance is no longer that of a single-family dwelling.

Staff believe the Supplemental Regulations are met, subject to the recommended conditions of approval.

Conditional Use 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.

Per Section 28.138(2)(a) accessory buildings on zoning lots abutting Lake Monona shall require conditional use approval. The Conditional Use Standard for lakefront development (Standard 13) 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 this standard specifically speaks to principal structures, staff notes that the heights of the surrounding homes are predominantly two stories. As a further estimate of total bulk of the surrounding principal structures, staff utilized data from the Assessor's Office to estimate principal building size for the homes on the five developed lots to the east and the five developed lots to the west. This calculation includes living areas, enclosed porches, basement areas, and estimated attached garage space. Using this analysis,

staff found that the principal building sizes of the applicable homes range from approximately 2,637 to 4,832 square feet. The median size of the homes is 3,820 square feet.

Related to other standards, staff notes that the prevailing development pattern include garages located towards Waunona Way, with the residence behind. The majority of these homes have detached garages. Using aerial imagery to estimate the size of the detached garages and accessory buildings, staff found that the sizes range from 480 feet to 1,000 square feet. The median size of the garages is 700 square feet. Along the street frontage, the width of these structures generally ranges from approximately 20-28 feet. The current structure is 24 feet in width. While the height complies with zoning standards for accessory and principal buildings, staff acknowledge that this is the first two story accessory building with ADU proposed in this study area. The structure is placed in-line with the residence and maintains side yard setback of just over eight feet.

Public Input

At the time of report writing, staff have not received public comments regarding this request.

Conclusion

While the proposed structure is taller than other accessory buildings in the immediate area, it is within the range of widths for similarly placed structures and complies with zoning standards for height and bulk. Staff believe the conditional use approval standards can be found met, subject to the recommended conditions of approval.

Recommendation

Planning Division Recommendation (Contact Lisa McNabola, 243-0554)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to construct an accessory building on a lakefront parcel at 2604 Waunona Way. All recommendations are 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

Engineering Division (Tim Troester, 267-1995)

1. Sewer lateral for proposed dwelling can either share lateral from primary home or have a separate sanitary lateral. Letter of intent indicates that the lateral will connect to homes plumbing. Sewer service for this home is located in the Waunona Way. Applicant shall verify on plan whether accessory dwelling will connect to 1) sewer lateral draining from home to street, 2) primary home's plumbing, or 3) have a dedicated lateral serving the accessory building.

Zoning (Jenny Kirchgatter, 266-4429)

2. The proposed accessory dwelling unit shall comply with Zoning Code Supplemental Regulations Section 28.151 Accessory Dwelling Unit.
3. Show the height of the proposed detached garage and accessory dwelling unit on the elevations. The maximum height is 25 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.

Fire Department (William Sullivan, 886-4691)

4. 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>

Water Utility (Jeff Belshaw, 261-9835)

5. The proposed development shall be connected to the existing water supply system downstream of the existing water meter, otherwise connected with a new lateral off the public water system. If extending existing water supply plumbing, provide Madison Water Utility with the total water supply fixture Unit count for both the existing structure and proposed development to determine if the existing water meter can accommodate total water supply requirements. Update plan to indicate which option will be used to supply the proposed development with water service. Contact Jeff Belshaw at jbelshaw@madisonwater.org or 608-261-9835 for verification, otherwise a Water Service Application and a Water Meter Application will be required for a new lateral connection.

Provide Madison Water Utility with the increased water supply fixture Unit count or flow rate requirements for the proposed development to determine if the existing water meter can accommodate total water supply requirements.

City Engineering Division – Mapping Section (Julius Smith, 264-9276)

6. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
7. Show the proposed Utilities to the ADU on a site plan and any demolitions/ replacement's needed to construct them. If there are site plan additions or changes they will need to be shown.
8. The address of the ADU is 2602 Waunona Way. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

The following agencies reviewed the request and recommended no conditions of approval: Traffic Engineering Division, Forestry Division, and Metro Transit