

PLANNING DIVISION STAFF REPORT

August 28, 2023



PREPARED FOR THE PLAN COMMISSION

Project Address: 1115 Rutledge Street (District 6, Alder Rummel)
Application Type: Conditional Use
Legistar File ID # [79021](#)
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 & Applicant: Joan Grosse; 1115 Rutledge Street, Madison, WI 53703

Requested Action: Consideration of a conditional use to construct an accessory building on a lakefront parcel at 1115 Rutledge Street.

Proposal Summary: The applicant is seeking approval to construct a 135 square-foot greenhouse on a lakefront parcel.

Applicable Regulations & Standards: Standards for conditional use approvals are found in MGO §28.183(6). General Regulations for lakefront development are found in MGO §28.138. Per the General Regulations any accessory building on zoning lots abutting Lake Monona shall require conditional use.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the conditional use standards met and **approve** the request to construct an accessory building on a lakefront parcel at 1115 Rutledge Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 9,834 square-foot (.22-acre) parcel is located on Rutledge Street between Ingersoll Street and South Few Street. It is located within District 6 and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is occupied by a two-story, approximately 5,559 square-foot, four-unit residence. Per data from the Assessor's Office the structure was built in 1914. It is zoned Traditional Residential-Variied 1 (TR-V1) District. It is located in the Third Lake Ridge Local Historic District.

Surrounding Land Use and Zoning:

North: Orton Park, zoned Traditional Residential – Consistent 4 (TR-C4) District;

East: Residential, zoned TR-C4 District and Traditional Residential – Variied 1 (TR-V1) District;

South: Lake Monona; and

West: Residential, zoned TR-C4 District and TR-V1 District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) for the subject site. The [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) recommends Medium Density Residential (RM-X) for the subject site.

Zoning Summary: The property is in the Traditional Residential-Varied 1 (TR-V1) District.

Requirements	Required: 3-4 unit multi-family dwelling	Proposed
Lot Area (sq. ft.)	1,500 sq. ft./ d.u. (6,000 sq. ft.)	9,834 sq. ft.
Lot Width	50'	66.0'
Front Yard Setback	20'	Adequate
Max. Front Yard Setback	30 ft. or up to 20% greater than block average	Adequate
Side Yard Setback: Accessory building	3'	10'8"
Lakefront Yard Setback: Accessory building	3' from OHWM	78'5"
Usable Open Space	160/one bedroom, 320/2+ bedrooms (800 sq. ft.)	Adequate
Maximum Lot Coverage	70%	<70%
Maximum Building Height: Accessory building	15'	<15'

Site Design	Required	Proposed
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (Not required)	Existing driveway
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom; 1 guest space per 10 units (Not required)	None
Landscaping and Screening	Not required	Existing landscaping
Building Form and Design	Not required	Accessory building

Other Critical Zoning Items	
Historic District	Yes, Third Lake Historic District
Floodplain	Yes

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 partially 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

The applicant is requesting approval to construct a 135 square-foot greenhouse on a lakefront parcel. The greenhouse would be located in the rear yard, approximately five feet from the residential structure and 78 ft. 5 in. from the lake. The overall building height is approximately 9 ft. 7 in. measured to the top of the roof.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) 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 row houses. The [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) recommends Medium Density Residential (RM-X) for the subject site.

In considering the adopted plan recommendations, the Planning Division believes that the proposed use is consistent with the [Comprehensive Plan](#).

Lakefront Development General 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 believes the lakefront development standards are met.

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 MGO §28.138 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 surrounding homes are two stories, with the median home size of 4,169 square feet. Based on Assessor's office information, these homes ranged between approximately 3,300 and 6,600 square feet. As a comparison, the principal building on this property measuring approximately, 5,559 square feet. Related to other standards, staff notes that the prevailing development pattern include residential buildings located close to the street with large rear setbacks. Two out of the ten homes have boathouses in the rear yard which range from 300 to 648 square feet.

Landmarks Commission

Per MGO §41.12 a certificate of appropriateness is required to construct a new structure in the Third Lakes Ridge Local Historic District (Legistar ID [79097](#)). In their staff report the city's Preservation Planner recommends the Landmarks Commission find the standards met and grant the certificate of appropriateness. The Landmarks Commission will consider the request at their August 28, 2023 meeting. As the Landmarks Commission will be considering the request on the same day as the Plan Commission, staff recommend the following condition, "The Director of the Department of Planning and Community and Economic Development may consider a minor alteration to the conditional use in the future for modifications as required by a certificate of appropriateness issued by the Landmarks Commission."

Conclusion

Planning Division believes that the approval standards for conditional uses can be found met.

Recommendation

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

The Planning Division recommends that the Plan Commission find the conditional use standards met and **approve** the request to construct an accessory building on a lakefront parcel at 1115 Rutledge Street. 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

Planning Division (Lisa McNabola, 243-0554)

1. The Director of the Department of Planning and Community and Economic Development may consider a minor alteration to the conditional use in the future for modifications as required by a certificate of appropriateness issued by the Landmarks Commission.

City Engineering Division – Mapping Section (Jeffrey Quamme, 266-4097)

2. Identify on the plans the lot and block numbers of recorded Certified Survey Map or Plat.
3. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.

Zoning (Jenny Kirchgatter, 266-4429)

4. Add lot dimensions to the proposed site plan.

The following agencies reviewed the request and recommended no conditions of approval: Engineering Division, Traffic Engineering, Fire Department, Parks, Forestry Division, Water Utility, Parking, and Metro Transit.