

PLANNING DIVISION STAFF REPORT

April 28, 2024



PREPARED FOR THE PLAN COMMISSION

Project Address: 1522 Waunona Way (14th District, Alder Knox)
Application Type: Conditional Use
Legistar File ID # [87633](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Kristi Hills; Classic Custom Homes of Waunakee, Inc; 401 N Century Ave; Waunakee, WI 53597
Contact: Bryan Sipple; Classic Custom Homes of Waunakee, Inc; 401 N Century Ave; Waunakee, WI 53597
Owner: Scott & Sandy Wareing; 1522 Waunona Way; Madison, WI 53713

Requested Action: The applicant requests approval of a conditional use for lakefront development.

Proposal Summary: The applicant proposes to construct a new single-family residence on a lakefront parcel.

Applicable Regulations & Standards: This proposal is subject to the standards Conditional Uses [§28.183 MGO]. §28.138(2)(a) MGO states that additions exceeding 500 square feet on zoning lots abutting Lake Monona and associated bays require Conditional Use approval.

Review Required by: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that standards of approval are met and **approve** the conditional use for lakefront development at 1522 Waunona Way subject to input at the public hearing and the conditions recommended by the reviewing agencies beginning on page 4.

Background Information

Parcel Location: The 22,982-square-foot property is located on the north side of Waunona Way on Lake Monona near the street's eastern terminus. It is located within Aldermanic District 14 (Ald. Knox) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is a lakefront parcel zoned TR-C1 (Traditional Residential – Consistent 1). The site is currently developed with an existing 1936-square-foot, one-story, single-family residence. City Assessor's records indicate the home has four bedrooms and three bathrooms and that it was built in 1974.

Surrounding Land Use and Zoning:

North: Lake Monona;

East: Single-family residences, zoned Traditional Residential – Consistent 1 (TR-C1) district;

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

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

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel. The [Broadway/Simpson/Waunona Neighborhood Plan](#) (1986) does not have specific land use recommendations for the site.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	22,982 sq. ft.
Lot Width	50'	70.01'
Front Yard Setback	20'	20'9" (see Zoning comment 2)
Max. Front Yard Setback	30' or up to 20% greater than block average	20'9"
Side Yard Setback	6'	Adequate east side 7'0" west side (see Zoning comment 2)
Lakefront Yard Setback	91.6' Sec. 28.138(4)(a)3.	152'0"
Maximum Lot Coverage	50%	<50%
Maximum Building Height	2 stories/35'	34'11" (see Zoning comment 1)

Section 28.138(4)(a)3. Lakefront Yard Setback. The median setback of the principal building on the five (5) developed lots or three hundred (300) feet on either side (whichever is less), or thirty percent (30%) of lot depth, whichever number is greater.

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 dwelling

Other Critical Zoning Items	Floodplain, Utility Easements, Wetlands
------------------------------------	---

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 flood storage district.

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

Project Description, Analysis, and Conclusion

Following demolition of the existing house, the applicant is requesting conditional use approval to construct a new single-family residence on a lakefront property. The proposed house is two stories, with a total of area of 4,202 square feet. The house is proposed to have five bedrooms and four bathrooms. According to the letter of intent, the house is located as close to the front of the lot as possible; the front setback is approximately 21 feet, less than a foot more than the minimum required. Several retaining walls terrace the property on either side of the house down toward the lake. The rear of the house features an exposed basement facing Lake Monona. The

calculated minimum shoreline setback is 134 feet, but the proposed setback is 152 feet. No accessory buildings are shown on the submitted plans.

This request is subject to conditional uses for lakefront development. This section will continue with an analysis of the recommendations in adopted plans, the standards for conditional use and lakefront development, and will end with a conclusion and recommendation. The associated request to demolish the existing residence will be processed administratively upon the finding of the Landmarks Commission of April 21, 2025 that the house has no known historic value.

Plan Consistency

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 rowhouses. The [Broadway/Simpson/Waunona Neighborhood Plan](#) (1986) 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 [Broadway/Simpson/Waunona Neighborhood Plan](#).

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. No accessory buildings between the proposed house and the lake are shown on the submitted plans. Staff also note that the subject site is not located in a mapped environmental corridor, although a narrow area adjacent to the lakefront falls within the flood storage district.

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 total size of principal buildings range from approximately 1,365 to 4,270 square-feet. The median size of the surrounding homes is approximately 2,504 square-feet, compared to the roughly 4,202 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 0.183, which is slightly higher than the estimated median 0.171 FAR for the surrounding homes, but well within the range of nearby homes (0.136 to 0.278). While the proposed structure is larger than the median of the surrounding residences, the merits of the residence should not be based solely on size. The conditional use approval must be made only with due consideration of the standards in MGO §28.183, especially

Standard 12 regarding the height and bulk of this lakefront development. Staff notes that this is not the largest home in the surrounding area in terms of either bulk and FAR. Furthermore, in keeping with the Zoning Administrator's 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.

Conclusion

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

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

Recommendation

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

The Planning Division recommends that the Plan Commission find that standards of approval are met and **approve** the conditional use for lakefront development at 1522 Waunona Way subject to input at the public hearing and the conditions recommended by the reviewing agencies below.

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

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

1. Show the height of the proposed building on the elevations. The maximum height is 2 stories and 35'. 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.
2. Show the width of the roof eaves and gutters on the plans. The eaves and gutters may project up to two (2) feet into the six (6) foot side yard setback and three (3) feet into the twenty (20) foot front yard setback.

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

3. Applicant shall show the mapped FEMA floodplain on the site plan. Additionally the lowest entrance elevation to the basement shall be 848.5 NGVD 1929.
4. 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))

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

5. Correct the location of the Ordinary High Water Mark on the Existing and Proposed site plans. It is at 845.77 which is further north than the plans show. This may also affect the 35' boat house set back shown on the

plans

6. Label on the existing site plan all improvements to be removed as part of the demolition of the site.
7. Show the concrete patio area along the north side of the new home on the proposed site plan as has been shown and noted on the floor plans.

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

8. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Ron Blumer at rblumer@cityofmadison.com or (608) 266 -4198.
9. 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>

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

10. 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/plumbers-contractors>), 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.

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