



Legistar I.D. #26218
5510 Lake Mendota Drive
Demolition and Conditional Use Request

Report Prepared By:
Heather Stouder, AICP
Planning Division Staff

Requested Action: Approval of the demolition of a single-family home and a conditional use for the construction of a new single-family home in the R1 (Single-Family Residence) District on a waterfront parcel.

Applicable Regulations & Standards: Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits. Section 28.04(19) requires that new principal buildings or additions to buildings on a waterfront parcel must obtain a conditional use permit. Section 28.12(11) provides the guidelines and regulations for the approval of conditional uses.

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the proposal meets all applicable demolition and conditional use standards and **approve** the request for demolition and new construction at 5510 Lake Mendota Drive, subject to the recommended conditions and input provided at the public hearing.

Background Information

Applicant/Property Owner: Sarah Spencer; 3100 Lake Mendota Dr. # 305; Madison, WI 53705

Project Contact: Charlie Lazor; Flat Pak; 2537 Burnham Rd. Minneapolis, MN, 55401

Proposal: The applicant proposes the demolition of an existing 1,236 square foot single-family home to construct a new 2,000 square foot single-family home on a waterfront lot. The applicant intends to initiate demolition after all approvals are obtained and complete construction by December, 2012.

Parcel Location: 5510 Lake Mendota Drive is a lakefront property located on the east side of Lake Mendota Drive between Capital Avenue and Epworth Court; Aldermanic District 19 (Clear); Madison Metropolitan School District.

Existing Conditions: The 1/3-acre property is relatively deep and narrow, sloping gently from west to east. The existing home on the property is a one and one-half story bungalow built in 1902, and sits approximately 85 feet from the lake. The structure itself appears to be in fair condition, but would require significant interior improvements. A small, one-car garage sits on the west side of the property within 30 feet of the street, and would remain on the site.

Surrounding Land Use and Zoning: The area surrounding the property is zoned R1 (Single-Family Residence District), and consists of single-family homes on 10,000 to 15,000 square foot lots.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends continued Low Density Residential land use for the area.

Environmental Corridor Status: This property is not located within a mapped environmental corridor.

Public Utilities and Services: The property is served by a full range of urban services, including several Metro Transit Routes running along University Avenue, less than a half mile to the southwest.

Zoning Summary: The property is in the R1 (Single-family Residence) District

Requirements	Required	Proposed
Lot Area	8,000 sq. ft.	16,970.52 sq. ft.
Lot width	65'	65.65' average
Usable open space	1,300 sq. ft.	Adequate
Front yard	30'	65'3"
Side yards	9' (RS), with depth penalty 8'2" (LS), with depth penalty	9'6" (RS) 8'6" (LS) (see Condition No. 16, p. 4)

Lake Setback	Average 5 lots each side TBD, 115.48'	126'11" (see Condition No. 16, p. 4)
Building height	2 stories / maximum 35'	1 story, less than 35'

Site Design

No. Parking stalls	1	1 existing
Landscaping	Yes	Landscaping within 35' of lake not changing. (see Condition No. 14, p. 4)

Other Critical Zoning Items

Urban Design	No
Historic District	No
Landmark Building	No
Flood Plain	Yes (see Condition No. 15, p. 4)
Utility Easements	Sewer
Waterfront Development	Yes (see Condition No. 14, p. 4)

Prepared by: Pat Anderson, Asst. Zoning Administrator

Project Description and Evaluation

The applicant proposes the demolition of an existing 1,236 square foot single-family home to construct a new 2,000 square foot, contemporary single-family home on a waterfront lot. The applicant intends to initiate demolition after all approvals are obtained and complete construction by December, 2012.

Existing Conditions

The property currently has a 1,236 square foot single family home constructed in 1902 in the center of the property, and a 400+ square foot garage near Lake Mendota Drive on the western portion of the property. The property currently has no driveway leading to the garage, but a narrow gravel driveway in the northwestern corner of the lot, which leads to the adjacent property to the north. There is no cross-access agreement on file between the two properties, and the adjacent property has a second entrance to the gravel driveway on their own property, so this access point is not necessary for owners of the adjacent property.

Demolition

As proposed, demolition of the existing house would begin with a visit by Habitat for Humanity staff to salvage reusable items, and the remainder would be deconstructed and removed from the site. Two small trees on the southern portion of the property, within the footprint of the proposed home, would be removed. The existing garage would remain on the property.

Neither the Landmarks Commission nor the Preservation Planner had any comments regarding the demolition proposal. Staff is not aware of any historical significance associated with the existing home, and can support its demolition for replacement with a new single-family home.

Site and Building Plans

The new 2,000 square foot, one-story home is set back approximately 127 feet from Lake Mendota, and with a much wider footprint than the existing home, its width nearly fills the allowable buildable area between the required side yards. However, as a reference, it is worth noting that the proposed home on this lot is well under the maximum floor area ratio that would be required in the new zoning code, based on a comparison with several lakefront homes on either side of this property.

The home is a contemporary, modular design, unique within the surrounding area. Exterior materials include cedar planks, zinc metal vertical siding, glass, and a metal roof. The architect indicated that the foundation will be a sandblasted black concrete, and that the white trim indicated on the elevations would be painted cedar. These materials should be called out on final plans submitted for staff review and approval.

No changes were proposed to the existing shed or access driveway in submitted plans, although the applicant indicates that a new driveway utilizing the existing curb cut and leading to the garage will be proposed. The applicant intends to minimize the amount of new impervious area on the property, and is working with zoning staff to address the need for an approvable parking stall through the use of pervious pavers. Final plans submitted for staff review and approval will need to show the removal of the existing gravel driveway and a new driveway leading to an approvable parking stall.

Finally, the applicant proposes six new trees to replace the two proposed for removal. Four will be planted along the northern edge of the property, and two are proposed along the southern side of the new home. Final plans submitted for staff review and approval should include the species and planting size for these trees. A stone wall shown on the northern edge of the property may be required to be removed to avoid drainage onto the lot to the north (see Engineering Condition No. 4). The applicant will work with Engineering staff to address this.

Public Input

The applicant has indicated that she presented the plans to neighbors, and that they were in support of the proposal. Planning Division staff is unaware of any public input on the proposal at this time.

Conclusion

With minor changes, the Planning Division believes that the demolition and conditional use standards can be met with the proposed demolition and new contemporary single-family home. The Planning Division recommends that the Plan Commission **approve** the request subject to input at the public hearing and comments and conditions from reviewing agencies.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards can be met and **approve** the request subject to input at the public hearing and the following conditions:

Planning Division (Contact Heather Stouder, 266-5874)

1. Final plans submitted for staff review and approval shall include detail on the existing and proposed driveway access to the property, details for any changes proposed to the detached shed/garage, and an parking stall meeting the requirements of the R1 (Single-Family Residence) District.
2. Final plans submitted for staff review and approval shall include labels for all exterior materials.
3. Final plans submitted for staff review and approval shall include the species and planting size for the "new trees" proposed on the site.

The following conditions have been submitted by reviewing agencies:

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

4. The proposed rock wall on the north side of the property appears to push drainage on the adjacent property. This shall be revised to be a minimum of 5-feet from the property line else other drainage accommodations shall be made and approved by City Engineering.
5. Applicant shall review plan to show how the current and proposed building is or will be served by sanitary sewer. It is recommended that a sewer cleaning company or plumber be hired to make this determination. If there is a sanitary sewer running across the lake side of building (east side) serving other homes, applicant shall dedicate a private sanitary sewer easement across the lot.
6. Owner shall install a new sanitary sewer lateral for connection to Lake Mendota Drive. Owner/Applicant shall meet with the City Engineer to review and understand the sanitary sewer requirements for this lot. Contact Mark Moder at 261-9250 or Mike Dailey at 266-4058.
7. Any damage to the pavement on Lake Mendota Drive resulting from this construction shall be restored.
8. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).
9. The site plans shall be revised to show the location of all rain gutter down spout discharges (POLICY).
10. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner (POLICY).

This permit application is available on line at: <http://www.cityofmadison.com/engineering/permits.cfm>.
11. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service (POLICY).

Zoning Administrator (Contact Pat Anderson, 266-5978)

12. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
13. MGO Sec. 28.12(12)(e) requires the submittal of documentation demonstration compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
14. Lakefront development shall comply with MGO Sec. 28.04(19). The cutting of trees and shrubbery shall be limited in the strip of land 35' inland from the normal waterline. Provide a landscape plan to how landscape elements to be removed and show a detailed plan showing sizes and number of landscape elements to be added to the site. In addition, not more than 30% of the frontage of the lot shall be cleared or trees and shrubbery. (Note: Within the waterfront setback requirements tree and shrub cutting shall be limited to consideration of the effect on water quality, protection and scenic beauty, erosion control and reduction of the effluents and nutrients from the shoreland).
15. Show designated flood plain area on the site plan. Any construction within a flood plain shall meet flood proofing protection measures and such design shall be certified by a registered professional engineer or architect per MGO 28.04(20)(b).

16. Note: Average setback calculations were determined by submitted survey from Williamson Surveying and Associates. Depth penalties on the right and left side yards are also verified by Williamson Surveying to the nearest point of construction including decks and steps more than 3 feet above grade.

Fire Department (Contact Bill Sullivan, 261-9658)

17. Note: Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and Comm 82.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

Water Utility (Contact Dennis Cawley, 261-9243)

18. The Madison Water Utility shall be notified to remove the water meter prior to demolition.

19. This property is not in a wellhead protection district. All wells on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The property shall be connected to the municipal water system in accordance with MGO 13.07.

Traffic Engineering (Contact Bryan Walker, 267-8754)

This agency submitted a report with no conditions of approval for this proposal.