

To Members of the Plan Commission, City of Madison, Wisconsin

I am writing in opposition to the new home construction at 5116 and 5118 Spring Court in Madison.

The proposed house shows no respect and blatant disregard for the character of Spring Court!

The project fails to meet three approval standards. My objection falls specifically under Conditional Use number 9: "When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district."

The proposed house is sized at 12,347 square feet. That is over five times the average size of homes currently on Spring Court. Walking from LMD to Merrill Spring Park you pass homes that are 668 square feet up to 3,699 square feet. None of the homes on Spring Court come close to the proposed house in size.

It is worthwhile to compare the proposed house to a house still under construction at 5454 Lake Mendota Drive. The owner of the LMD property requested a permit for 10,000 square feet. The size of the house was reduced through the permitting/conditional use review. It is still an oversized "house". Demolition on that house started in July of 2020. That house is still not finished. For over three years, all the neighbors of 5454 LMD have been through all the processes of construction: demolition, clearing of the lot, ramming in of steel beams, concrete pouring, frame building, street torn up for utilities, and more.

The proposed house is on a very small street that dead ends in Merrill Spring Park. There is parking on one side of the street. The proposed house is larger than the house on LMD and construction will likely take at least as long. All the neighbors on Spring Court will definitely be inconvenienced by this demolition and construction for a very long time. The project will also make it extremely difficult for neighbors and others who enjoy visiting this beautiful small neighborhood park to get to Merrill Spring Park.

The proposed house is a big box house that does not in any way reflect the existing character of the area.

Thank you.

Elizabeth Bauer
1137 Minocqua Crescent
Madison, WI 53705

5109 Spring Ct
10/25/2023

Members of the Planning Commission,

We strongly oppose the demolition permit and conditional uses for 5116-5118 Spring Court. We were shocked when we saw the plans for tearing down 2 perfectly good houses and constructing another that is 5 times bigger than the average house size on Spring Court. We moved here (across the street from 5116) in 1979 and we have always felt so fortunate to be on this small street with so much character and charm. We felt great that as we aged, we would always be able to get a good return on the sale of our home. This is the first time ever, that we very much fear the devaluation of our home. We don't sleep well now, realizing what can happen to our street and our stress level has risen considerably. Additionally, we are looking at a minimum of 2 years (watching other developments, it is very unlikely they will complete this in 2 years) of horrific disturbance to our lives (for no good reason). There will be continual noise, dirt, and disruption getting in and out of our street day after day after day. There is currently very little parking, and now for those years, there will be even less. This doesn't even consider the disruption to the many, many walkers who use this street as an enjoyable stroll to Merrill Springs Park.

We believe that 5116-5118 does not comply with the following standards.

DEMOLITION – Standards of Approval #6

There is **NO valid reason** to demo 2 good houses (one not even 20 years old). They are not a public nuisance, safety concern, fire hazard, in bad condition, etc.

CONDITIONAL USE – Building Approval Standards #3 and #9

We are very concerned with the devaluation of our property, especially since we are not a recent new build. Additionally, there is no good reason to inflict 2 or more years of **unnecessary** noise, dirt, trucks, maneuverability on residents of Spring Court. Many of the residents on Spring Court are finished with their work years and enjoy their retired days at home which will now be subjected to chronic noise, unlike the owner who will be living off the street. The stress of the next years will be enormous. The new house does not even begin to fit into the quaint character of the neighborhood. Building a structure more than **5 times the average size of your street neighbors** is not in the street's best interest. Besides the size, the entire structure is not in character of the street – swimming pool, 2 garages, a blindingly huge white building and removal without replacement of the large deciduous tree in a neighborhood that is wooded.

This effect on us is so severe that for the first time in our 44 years on the street, we have started looking around at property elsewhere. We love this street; we love our neighbors, and we would love to stay here as long as we are physically possible.

PLEASE DO NOT APPROVE the demolition or conditional use.

Dave and Alice Erickson

Information on the Excel Sheet attachment is taken from the Madison Property Assessor pages

- 1957 Ave Sq footage of all Spring Ct homes
- 2220 Ave Sq footage of all Waterfront Spring Ct homes
- 2099 Ave Sq footage of Harbor Front houses on Spring Ct
- **2410 Ave Sq footage of Lake Front houses on Spring Ct**

Spring Ct Address	Garage Stalls	Sq Ft	L-Lakefront H-Harbor
5120	2	954	H
5128	3	3699	H
5132	2	2330	H
5136	2	2725	H
5140	0	907	H
5144	1	2544	H
5148	2	2776	H
5152	2	1170	H
5156	2	1760	H
5158	0	1684	H
5160	1	2545	H
5104	2	1120	L
5106	2	1268	L
5110	2	3570	L
5114	2	2840	L
5116	3	3469	L
5118	2	2970	L
5122	2	1637	L
5101	1	960	
5105	1	1896	
5109	1	2017	
5115	2	2997	
5119	3	2189	
5121	0	873	
5125	0	668	
5129	2	1355	
5137	1	840	
5141	1	1044	

To Whom it May Concern,

We are writing to support Keri Peterson's proposed construction project at 5116 and 5118 Spring Ct.

After reviewing the submitted plans, it appears that the project meets all the conditions specified by the Plan Commission, and no variances are being sought. While the home is larger than adjacent properties, the setback and lower and varied roof line minimize the size perception and impact on the lot. In addition to being LEED certified, the incorporation of a permeable driveway, green roof and rain gardens are desirable and helpful additions to mitigate runoff.

Having recently gone through the Conditional Use Permit application and approval process, we appreciate that property owners who are proximate to a construction project, regardless of its scope, have varying opinions as to whether it is a "good idea." Neighbors may question whether it is necessary, aesthetically pleasing, and/or whether it will have an impact on their property values or site lines.

We believe that property owners should have the right to modify their residences as long as the plans meet all zoning, city ordinance, and other legal requirements. Therefore we support the Commission's approval of this project.

Sincerely,
Jim Twesme & Cathy Sullivan
5106 Spring Ct.

From: [Lisa Andrews](#)
To: [Plan Commission Comments](#)
Cc: [Eric Gaumnitz](#)
Subject: File 79965, 5116-5118 Spring Ct. Madison WI 53705
Date: Monday, October 23, 2023 9:44:45 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Re: 5116-5118 Spring Court, File 79965

To Whom It May Concern,

We are writing this letter in support of the proposed project at 5116/5118 Spring Court. We live next door at 5122 Spring Court and are one of the two properties that stand to be the most impacted by the new home.

The project owner, Keri Peterson, has communicated with us frequently throughout the development of her project and has solicited our feedback at each stage of the design and development. We have reviewed the architectural, landscape, and water runoff mitigation plans, and we are confident that the new home will be constructed within the demolition and conditional use requirements.

Furthermore, while our design preferences are not relevant, we appreciate contemporary architecture and believe that the new home will be an aesthetic improvement over the existing structures and will complement the overall eclectic collection of homes in the neighborhood.

This project has generated much discussion; these are the points we considered in our support of this project:

1. **The City of Madison conditional use standards:** We believe all standards have been met. The home is within allowed setbacks, and no variance has been requested.
2. **Architectural design:** Again, we realize that the conditional use standards are not interested in individual design preferences, but there are likely to be several opinions raised on this topic, and we want to emphasize that we like the modern design of the new home and welcome it as our next-door neighbor.
3. **Size:** Although the planned project is larger than the homes it will replace, it has been designed to minimize the appearance of mass. It has a lower profile than the existing structure and has been thoughtfully designed to include facades with accents, layers, and a variety of siding materials.

4.

Environmental considerations:

a.

Eco-friendly Design: The home is LEED certified and we appreciate the permeable driveway, green roofs, and rain gardens. It reduces the risk of water intrusion - and the need for frequent use of a sump pump - by replacing the current basement with a shallow crawl space.

b.

Vegetation impact: We support the removal of the ailing ash tree, which is clearly in decline and regularly drops large limbs, putting nearby structures, cars, and pedestrians at risk for harm. ***Posted on Wisconsin DNR website 10/20/23: "Most ash trees in the southern half of Wisconsin, Door County, and the Mississippi River counties are dead or dying from emerald ash borer infestation. Hunters should be cautious around ash trees when on the ground, especially in windy conditions, as infested trees are susceptible to branch and stem breakage"***.

Landscaping per Olsen-Toon appears to be thoughtfully designed, and we understand that the new-growth trees and shrubs will provide a better habitat for songbirds compared to old-growth trees.

5.

Economic impact: The new home will increase the property value of all of the homes on the street.

We fully support this proposal and encourage the planning commission to approve the project. We are available for questions or comments.

Sincerely,

Eric Gaumnitz and Lisa Andrews
5122 Spring Ct., Madison WI 53705

The proposed lakefront Peterson project at 5116 and 5118 Spring Court in Madison fails to meet the City of Madison Standards for Review of Certain Types of Development Proposals (Standards).

Among the planning standards not satisfied are those from Zoning Code 28.183 in Standards (6) (a) (1), (3), and (9). [Attached] The absence of planning for drainage, use of reflective siding, disproportionate size of the home, and placement close to my adjacent home at 5114 Spring Court, among other issues, violate the Standards.

1. The project does not meet Standards (6)(a)(1) and (3) requirements to preserve the general welfare and to protect existing use and enjoyment.

a. The absence of a detailed plan for increased drainage foreseeably impairs the general welfare and my particular use and enjoyment.

Standards (6) (a) (1) and (3) mandate that the new construction not harm the general welfare or the specific uses, value and enjoyment of the specific neighbors. Standard 1 provides: "The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare." Despite the plan's inclusion of gutters and downspouts, the lack of a detailed drainage plan for this very large home impacts the general welfare. Runoff from construction spans two lots, eliminating what would have been the setbacks between the two lots, will be greater than the existing runoff, and greater than the runoff would have been from two new houses on adjacent lots. Combined lots for a single large structure necessitates detailed planning to address increased runoff which threatens to cause street ponding and/or water flow along road edges.

The absence of a detailed drainage plan for this disproportionately large home occupying two lots also violates standard 3 which specifies "The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner." Because changes in drainage are foreseeable with any construction, planning for construction at my home at 5114 Spring Court included drains and gardens to accommodate runoff. The proposed Peterson project is larger and will result in larger drainage shifts. The proximity to my property makes it foreseeable that much of this water will drain onto my property, resulting in the foreseeable result of standing and running water adjacent to my home and along a swale between our homes. While my utilities here are elevated, standing water would impair access for maintenance and repair. The Peterson project should include detailed plans to show that it can satisfy the standards for the general welfare and for my specific property interests.

b. The extensive metal and porcelain siding threaten my use and enjoyment of my property because of reflected heat and glare.

My use and enjoyment could reasonably be anticipated to include increased heat and reflective glare from the siding choices which include large amounts of metal and porcelain siding in close proximity to my home. Reflected heat and glare from buildings can kill plants, heat adjacent buildings, and cause serious glare. My use of lakefront property could be impeded by glare and even by reflected heat. My landscaping could foreseeably be harmed by concentrated glare and reflected heat. My home might be more difficult to air condition, and my side windows might not be useful for ventilation to cool my home in warmer months because reflected heat would warm the air between our homes. Keeping my blinds closed would not prevent these other harms. While research continues on matters of reflective glare and

heat from building materials, they are an increasing concern to city regulators. See Shilston, Ruth & Danks, Ryan. (April 2018), *Simulation of urban solar reflections and their impact on building performance*, CIBSE Technical Symposium, London, UK 12-13. "Recent media attention has highlighted several cases where solar reflections from building facades caused serious impacts on their surroundings. Impacts ranged from general nuisance to property damage and human safety concerns. The trend in new construction of high window-to-wall ratios and increased use of reflective facade materials will likely increase the frequency and impact of urban solar reflections....The paper specifically demonstrates the impact that reflected heat can have on neighbouring buildings. This paper also provides guidance about how to avoid features that lead to visual and thermal reflection issues and presents approaches that can be used to both quantify and mitigate issues at the design stage." [Exhibit A Article] The Peterson project should include a simulation detailing foreseeable glare and heat issues for those in close proximity, as I will be, and how those will be mitigated.

2. The disproportionate size, at 10,000 square feet, nearly 6500 square feet more than the largest neighboring homes, is not "compatible with the existing...character of the area" violating Standard 6(a)(9).

Standard (6)(a)(9) addresses aesthetics and compatibility. It specifies that when applying the standards to new construction, the Commission" shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing...character of the area."

The size of the home, at approximately 10,000 square feet, is not compatible with the existing character of the neighborhood, as required by standard 9. Existing homes have 'been enlarged to fit the lakefront building envelope, but none have sprawled across two lots with no separation. This combining of lots for construction of mansions has been changing neighborhood character in many cities without drawing the attention of planners. See JACK L. NASAR et al. (Oct. 2007), *McMansions: The Extent and Regulation of Super-Sized Houses*, 12 *Journal of Urban Design* 339–58 and Terry S. Szold (2005) *Mansionization and Its Discontents: Planners and the Challenge of Regulating Monster Homes*, *Journal of the American Planning Association*, 71:2, 189-202. You have the opportunity to address this.

My home, next to the proposed project, has 2840 sq feet and was built on the existing footprint. 5115 Spring Court, across the street from the Peterson first parcel, has 2997 sq. ft. 5110 Spring Court, on my other side has 3570 sq. ft. My neighbor across the street at 5109 has 2017 sq. ft. The primary existing Peterson house has 3469 sq ft. The second existing Peterson home has an existing living space of 2970. The nearby home at 5119 has 2189 sq. ft. Other home sizes on the street include (5106) 1268 sq ft, (5105)1896 sq ft, and (5120) 954 sq. ft. [Exhibit B Square Footage] This project, at nearly three times the largest house in the neighborhood, and approximately 6500 sq. feet more than the largest existing home is not compatible. In cases of disproportionately large homes, one option for planners is to require zoning changes for increased setbacks, which could be a solution here. "Setbacks and variable roof heights can divide a building's mass into increments that correspond to the scale and massing of neighboring structures." *New Designs for Growth*. (2008). *New Designs for Growth: Guidebook*. *New Designs for Growth: Guidebook*.

<http://www.newdesignsforgrowth.com/pages/guidebook/criticaldesignpractices/elementsofsitedesign/>

3. I have conveyed my concerns in writing to the project owners to allow them to incorporate solutions into their submitted plans.

On October 9th, I sent an email to Keri Peterson and Mike Doers, asking them to address these and other concerns. [Exhibit C]

Conclusion

The proposed two-lot consolidation construction project, as submitted, fails to satisfy Madison planning standards 3, 6, and 9. The absence of a detailed drainage plan on a very large construction project does not adequately safeguard the general welfare nor the particular water risks to adjoining property. The proposed use of porcelain and metal siding on such a large structure violate section 6 and likely 3 as well, depending on how far reflected heat and glare extend. A satisfactory reflectivity simulation could alert the planners and the owners to any needed modifications before the harm is done. Finally, the proposed home spans two lots, and is not in keeping with the character of the community of single lot homes of under about 3500 sq. feet. This joining of two lots to accommodate mansions in neighborhoods of smaller homes poses problems planners must not overlook. Increased side set-backs offer one solution. The submitted plan fails to meet the standards and a new submission should be required with satisfactory detailed drainage plans and light and heat simulations and increased side set-backs to address the disproportionate size.

Respectfully submitted,



10 / 22 / 2023

James Eisner
5114 Spring Court
Madison, Wisconsin

Resources

Standards: https://www.dropbox.com/scl/fi/b1ry3b13gcpq95j7g1xo3/PC_Review_Standards-1.pdf?rlkey=t0qj6spk7yyv8iye5kkxhwcfv&dl=0

Exhibit A Article: <https://www.dropbox.com/scl/fi/cadhcat78bsdws78omrwr/New-Ex-A-Articles-Simulation-x-CIBSETechnicalSymposiumPaper065.pdf?rlkey=149nqa7b89hcv6bxbah0biofj&dl=0>

Exhibit B Square Footage: <https://www.dropbox.com/scl/fi/l78rzs1cma22zpiypab6h/New-Exhibit-B-Square-Footages.pdf?rlkey=cj21mmugvejpk9wltdducu5z&dl=0>

Exhibit C Letter: <https://www.dropbox.com/scl/fi/mo61h86esotk1sjx95387/Ex-C-Forwarded-message.pdf?rlkey=vbciloafu1b1y5z9xo0upaxb&dl=0>

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Document History



SENT

10 / 22 / 2023

17:46:16 UTC

Sent for signature to James Eisner (jromaneisner@gmail.com)
 from jbinkovitz@gmail.com
 IP: 162.125.63.42



VIEWED

10 / 22 / 2023

18:23:51 UTC

Viewed by James Eisner (jromaneisner@gmail.com)
 IP: 96.255.242.179



SIGNED

10 / 22 / 2023

19:21:15 UTC

Signed by James Eisner (jromaneisner@gmail.com)
 IP: 96.255.242.179



COMPLETED

10 / 22 / 2023

19:21:15 UTC

The document has been completed.

From: [Heather Crade](#)
To: [Plan Commission Comments](#)
Subject: Oct 30 meeting regarding 5116/5118 Spring Ct.
Date: Tuesday, October 24, 2023 6:35:14 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

To the Planning Commission,

We are writing to express our concern about the project at 5116 Spring Ct. in Madison. We have been residents in the Spring Harbor neighborhood for 47 years and treasure the character of this lakeside neighborhood. The proposed home with its footprint of at least 10,000 square feet greatly exceeds the size of other lakeside homes. It is dissonant with the character of the small, dead end street lined with cottages and newer homes, as well. Standard #9 states that any new construction shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area.

Please consider deferring decision on the project.

Respectfully,
Heather and Steve Crade
5136 Lake Mendota Dr.

From: [McNabola, Lisa](#)
To: "[Nancy Vedder-Shults](#)"; [Plan Commission Comments](#)
Subject: RE: Comments on Proposed Construction at 5116-5118 Spring Court
Date: Wednesday, October 18, 2023 2:43:56 PM

Hi Nancy,

Thanks for your comments, I am forwarding this to the pccomments email so that it can be posted on Legistar and available to Plan Commission members.

Lisa



Lisa McNabola, AICP (she/her/hers)
Planner – Development Review & Plan Implementation
Department of Planning & Community & Economic Development
215 Martin Luther King Jr. Blvd | Suite 017
PO Box 2985
Madison, WI 53701
lmcnabola@cityofmadison.com
608.243.0554

From: Nancy Vedder-Shults <nancyv-s@tds.net>
Sent: Wednesday, October 18, 2023 2:39 PM
To: McNabola, Lisa <LMcNabola@cityofmadison.com>
Subject: Comments on Proposed Construction at 5116-5118 Spring Court

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5110 Spring
Court
Madison, WI
53705
October 18, 2023

Plan Commission
215 Martin Luther King Blvd.
Madison, WI 53703

Dear Members of the Plan Commission:

My husband Mark Shults and I live on Lake Mendota at 5110 Spring Court. We are concerned about the proposed demolition of 5116 and 5118 Spring Court and the extremely large house to be built in their place. We live two doors away. Our house

is the largest in our area on the lake, and the house that is proposed will be three times larger than ours, at over 10,000 square feet. We believe that it would not be aesthetically compatible with the rest of the neighborhood (as per section 9 of the “Approval Standards” for Conditional Uses).

We also believe that building this massive, block-like house would negatively affect the value of other properties in the neighborhood as well as neighbors’ enjoyment of our street (as per section 3 of the “Approval Standards” for Conditional Uses). The proposed house fills the whole lot from the required setback on one side to the required setback on the other, making it 85 feet wide in width. This seems out of proportion, and therefore aesthetically undesirable, on a lot with 100 feet of lake footage.

As environmentalists, we also believe that demolishing these two houses is unwarranted (as per 9 c) 6 of “Approval of Demolition”), since they are both in good condition. In fact, the house at 2116 Spring Court was just built within the last 15 years. The city should not be approving construction when perfectly good houses already exist on the property.

Thank you for considering our comments when making your decision about this proposed new construction. We believe it is ill-advised for the above reasons. We ask that you defer your decision until these issues can be addressed.

Sincerely,
Nancy Vedder-Shults and Mark C. Shults.
5110 Spring Court

From: [Dawn Maasch](#)
To: [Plan Commission Comments](#)
Subject: Support for Project 79965, 5116-5118 Spring Court
Date: Wednesday, October 25, 2023 7:01:13 AM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Plan Commission Members:

We are writing this letter in support of Kerin Peterson and Mike Doers and their proposed project at 5116-5118 Spring Ct. We recently built our home at 5119 Spring Ct, across the street from the project, and have reviewed the plans. We appreciate their attention to detail, respect for the neighbors and believe they have met the City of Madison's conditional use requirements set forth, making note that no variances are required.

We echo the comments from our neighbor, Richard Glad, whose thoughtful letter submitted to the Commission on October 10th, details our own sentiments regarding Keri and Mike's project. In addition, we would like to address a few of the known concerns and objections to this project and ask that the Commission consider the following:

- **Project Length:** The estimated time line is 2 years. We believe this is well within the normal limits of construction. Our own new build began in July of 2019, we moved into our new home in December of 2019 and our landscape was complete by July of 2020. In comparison, the home right next to us at 5115 Spring Ct., and directly across the street from Keri and Mike's project, began in November of 2021 and is currently just shy of the 2 year mark. While they have moved in, work inside and outside their home continues today. Point being that construction can be unpredictable. The plan for Keri and Mike's project is for the construction workers to utilize their own property during construction, thus reducing congestion and parking on Spring Ct. This will greatly reduce the inconveniences that construction can cause.
- **Size and Style of Home:** While this is a large single family home, it should be noted that the home encompasses two lots and, in actuality, will cover a smaller percentage of the lot than the majority of homes in this neighborhood. The homes on Spring Ct., right behind us on Lake Mendota Drive and including the nearby Shorewood Hills neighborhood, are comprised of quite an eclectic assortment of homes, all varying in size and style. This is one of the features that drew us to this area and we find to be uniquely quaint and charming, with each homeowner allowed the freedom to express their own style and taste. Keri and Mike's home will be no exception. We, and other neighbors, will benefit from their choice of roof line and a home that is not as tall as the two existing homes. Although not a determining factor in meeting the requirements of the City, we find the home, as designed, to be appropriate for the neighborhood and a home we both agree will be beautiful and add to the value of all our homes in the long run.
- **Ash Tree Removal:** Unfortunately, the ash tree on the property at 5116 Spring Ct. must come down as it is diseased and at a high risk for falling. Keri and Mike have done their due diligence in researching alternative options, but recommendations are obvious that the tree is a detriment to not only their home, but others nearby as well. Protecting their home and others is a necessary priority. The landscape plans that Keri and Mike have submitted go above and beyond by adding several trees, shrubs, bushes, plants and flowers in its replacement.
- **This home will be LEED-Certified.** One of the many impressive qualities of this certification program is that the homes are "designed, constructed and operated to be

resilient in adverse conditions and are developed with proactive design planning for potential impacts of catastrophic weather". We are impressed with Keri and Mike's dedication to this program knowing that this home will be on Lake Mendota and the protection of the lake is something they are keeping at the forefront of their design and build.

- Lake Mendota Preservation: Keri and Mike are long time members, financial supporters and volunteers of the Clean Lake Alliance and The Yahara Society. Mike even served on the Clean Lakes Committee. They are passionate about preserving and restoring the lake and are very attuned to making certain their project protects the lake and the environment.

We encourage the Planning Commission to approve this project and welcome any questions or requests for further clarification. We will both be available during the Plan Commission meeting on October 30th.

Sincerely,

John and Dawn Maasch
5119 Spring Ct., Madison, WI 53705