



Report to the Plan Commission

July 6, 2009

Legistar I.D. #14884, 15234, & 15235
6202 – 6210 Cottage Grove Road
Demolition, Rezone, and Certified Survey Map

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Approval to demolish/remove three (3) single-family residences, rezone the property from A (Agriculture District) and PUD-SIP (Planned Unit Development-Specific Implementation Plan) to R2T (Single-Family Residence District), and create six (6) single-family lots through two (2) Certified Survey Maps (CSMs).

Applicable Regulations & Standards: Section 28.12 (12) provides the guidelines and regulations for the approval of demolition permits. Section 28.12 (10) provides the process for zoning map amendments. Section 16.23, Land Subdivision Regulations, Madison General Ordinances provides the requirements for land divisions.

Summary Recommendation: The Planning Division recommends the Plan Commission finds that the applicable demolition and zoning map amendment standards are met and forward zoning map amendment ID 3434, allowing the demolition and removal of three structures and the rezoning 6202-6120 Cottage Grove Road to R2T, to the Common Council with a recommendation of **approval**. Further, the Planning Division recommends that the Plan Commission find the standards for land divisions are met with this request and **approve** the two Certified Survey Maps of property located at 6202-6210 Cottage Grove Road. Both recommendations are subject to input at the public hearing and the conditions from the Planning Division and other reviewing agencies.

Background Information

Applicant: Don Esposito, Great Neighborhoods, Inc; 6801 South Town Dr; Madison, WI 54713
Contact: Brian Munson, Vandewalle and Associates; 120 E. Lakeside St, Madison, WI 53715
Property Owner: Same as applicant

Proposal: Approval to demolish/remove three (3) single-family residences, rezone the property from A (Agriculture District) and PUD-SIP (Planned Unit Development-Specific Implementation Plan) to R2T (Single-Family Residence District), and create six (6) single-family lots through two (2) Certified Survey Maps (CSMs). The application indicates that the project would be complete by 2011.

Parcel Location: The subject site is approximately 69,260 square feet (1.59 acres) in area, located on the north side of Cottage Grove Road, adjacent to developing portions of the Grand View Commons subdivision; Aldermanic District 3; Madison Metropolitan School District.

Existing Conditions: The property includes three (3) large single-family lots, each measuring approximately 20,000 square feet. Each parcel includes a single-family residence that is proposed for removal or demolition. The properties currently front onto Cottage Grove Road and each has separate driveway access. The subject site also includes an undeveloped 10-foot wide outlot, currently zoned PUD-SIP.

Surrounding Land Use and Zoning: Single-family residences in the Grand View Commons neighborhood are located north of the subject property and zoned PUD-SIP (Planned Unit Development-Specific Implementation Plan). The McClellan Estates subdivision lies directly to the east with small multi-unit condominiums adjacent to the subject site. The adjacent properties are zoned R3 (Single and Two-Family Residence District). Single-family homes in the Richmond Hill subdivision are immediately south of Cottage Grove Road and zoned R1 (Single-Family Residence District).

Adopted Land Use Plan: The Comprehensive Plan and Sprecher Neighborhood Development Plan recommend low-density residential uses for the subject site.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

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

Zoning Summary: The property is proposed for R2T (Single-Family Residence District).

Bulk Requirements	Required	Proposed
Lot Area	5,000 sf	10,195 + sf
Lot width	44'	63'
Usable open space	800 sf	adequate
Front yard	15' or 18'; (depending on garage location)	TBD
Side yards	5' each side	TBD
Rear yard	20'	TBD
Building height	2 stories / 35'	TBD
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

Project Review and Analysis

There are four related requests before the Plan Commission. The first is approval to remove or demolish three single-family homes currently sited on the subject properties. The second request is to rezone the residential properties and an adjacent outlot to the R2T (Single-Family Residence District). The final request is to approve two (2) CSMs (Certified Survey Maps) creating a total of six (6) single-family lots. These proposals are subject to the applicable standards for demolitions, zoning map amendments, and land divisions.

The subject site consists of three (3) lots and a small adjacent outlot. These lots are currently zoned A (Agriculture District) with each property measuring approximately 20,000 square feet in area. Single-family residences are sited on each of these properties. The 10-foot wide outlot is adjacent to the western-most property and would be combined into one of the six (6) proposed lots.

Demolition Request

The applicant proposes to relocate the three (3) residences on the subject properties. The letter of intent states that contracts are in place to relocate each of the buildings. The residences at 6202 and 6206 Cottage Grove Road would be moved to Sargent Street in the Eastmorland Neighborhood. The Plan Commission recommended approval of a corresponding land division and zoning map amendment on Sargent Street at its June 15, 2009 meeting. In review of that project, staff noted that if properly renovated, the relocated structures should represent an appropriate addition to the established Eastmorland Neighborhood. Staff previously recommended that plans for both houses be submitted for staff approval, which specify the final location of the houses and the scope of the renovations to occur. The residence now located at 6210 Cottage Grove Road would be moved to a site in the Town of Cottage Grove.

In the event that the relocations don't proceed, the applicant requests approval to demolish the structures. To support this request, a reuse and recycling plan has been provided along with some supplemental building information. City records indicate these ranch-style homes were constructed between 1951 and 1962. The City's Acting Preservation Planner has indicated there is no historic file noting any particular architectural feature or other preservation issues associated with these structures. The Planning Division has not inspected the inside of the residences to be demolished but believes the buildings to be in at least average condition for buildings their age, based on materials submitted by the applicant. These materials indicate the structures appear to be structurally sound, though each building likely requires interior and exterior cosmetic repairs and updating.

The proposed future use is the creation of six (6) single-family lots with R2T (Single-Family Residence District) zoning. While specific building plans for the new sites are not available, the applicant has submitted a corresponding zoning map amendment and land division requests as part of the future use aspect of this proposal. As noted above, the applicant is also the developer of the adjacent Grand View Commons subdivision and has stated one intent of this proposal is to better match the character of the adjacent subdivision. The proposed R2T zoning includes several design standards that require a development form generally consistent with the establishing subdivision character. This is further discussed in the following section. Considering the demolition standards, the issue of use and character relates to the "normal and orderly" development of the area. The ordinance states, in part:

That when making its finding on the standards, the Plan Commission shall consider and may give decisive weight to any relevant facts including but not limited to the effects of the proposed demolition or removal and proposed use of the subject property would have on the normal and orderly development and improvement of surrounding properties...

Considering the information provided by the applicant, the demolition and proposed development pattern is believed to be a logical extension of the establishing character in the neighborhood and should, therefore, have a positive impact on the normal and orderly development of the surrounding area. Further, this proposal is consistent with the adopted Comprehensive Plan and Sprecher Neighborhood Development Plan recommendations.

Zoning Map Amendment Request

The second request before the Commission is rezoning the three (3) properties and an adjacent outlot to the R2T (Single-Family Residence District). As noted above, the residential lots are currently zoned A (Agriculture District) with the small adjoining outlot zoned PUD-SIP (Planned Unit Development-Specific Implementation Plan). The existing residences currently front onto Cottage Grove Road and

back onto Kilpatrick Lane. The applicant proposes to reverse this orientation and front the new residences onto Kilpatrick Lane.

Permitted uses within the proposed zoning district are primarily limited to single-family dwellings. The stated intent of the district is to provide lot and bulk standards between those of the R2 District and the smaller-lot R2S district. Specifically, R2T lots are required to have a minimum lot area of 5,000 square feet and a lot width greater than 44 feet. Setback requirements include a 15-foot front yard setback and five-foot sideyard setbacks.

The proposed zoning district is generally consistent with the “traditional” character of the adjacent Grand View Commons subdivision to the north and west. Staff note that that the proposed narrower lots are more consistent with those lots found closer to the interior of this development. The properties immediately surrounding the development are typically wider, though staff does not believe the introduction of R2T zoning is problematic or incompatible in this area. Staff note that section of Kilpatrick Lane immediately transitions to small condominium buildings of a more “suburban” character, east of the subject site.

In addition to the smaller, more “traditional” sized lot requirements, the R2T zoning district provides additional design standards not found in most other residential districts. One notable standard requires that garages must be recessed from the front facade of the house. A second requires buildings to have a ground floor entry oriented toward the front of the lot, which would be Kilpatrick Lane.

As with all zoning map amendments, the Plan Commission would need to find that the adoption of this rezoning is in the public interest and is not solely in the interest of the applicant should it recommend approval. One potential public benefit would be improving the character along the south side of Kilpatrick Lane. Another potential public benefit noted in the application materials is the removal of the individual driveways from Cottage Grove Road. Staff note that while backing the new residences onto Cottage Grove Road is perhaps not ideal from an urban design standpoint, this is the development pattern that has been established in this subdivision and other developments within the Sprecher Neighborhood. Further, the applicant has noted that existing mature trees along Cottage Grove Road would be preserved and that a 40-foot landscape buffer will be added along this frontage. Staff recommend that the corresponding planting plan for this buffer be approved by Planning Division staff.

Land Division Request

The land division request includes two (2) Certified Survey Maps. The first CSM divides the western-most portion of the subject site into four (4) lots. This includes the aforementioned 10-foot wide outlot. The second CSM divides the eastern-most portion of the site into two (2) lots.

The proposed lots range from 10,195 square feet to 11,447 square feet in total lot area. Each lot is “double-fronted” on both Cottage Grove Road and Kilpatrick Lane. The CSMs propose vehicular access restrictions along the Cottage Grove Road frontage. While the lots are narrower than many of the surrounding properties, they are relatively deep, measuring roughly 240 feet. Four of the proposed lots have widths of 69 feet. The other lots have widths of 63 and 67 feet, consistent with the standards of the proposed zoning district.

In reviewing a Certified Survey Map, Section 16.23 (5)(g)3 of the Subdivision Regulations stipulate that:

The map shall be reviewed by the Department of Planning and Community and Economic Development, and other City agencies as determined by the Director of Planning and Community and Economic Development for comment concerning matters within their

jurisdiction, for conformity with the provisions of the ordinances and for the possible effect of the proposed division on any plans as set forth in the master plan, the official map or neighborhood unit development studies.

The proposed land division would not be inconsistent with the recommendations of the Comprehensive Plan or Sprecher Neighborhood Development Plan.

Conclusion

The proposals are consistent with adopted plans and the emerging development pattern in the Sprecher Neighborhood. At the time of report writing, staff was not aware of objections to these proposals. The Planning Division does not object to the applicant's requests and believe that the applicable demolition, rezoning, and land division requests can be met.

Staff Recommendations, Conditions of Approval & General Ordinance Requirements

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends the Plan Commission finds that the applicable demolition and zoning map amendment standards are met and forward zoning map amendment ID 3434, allowing the demolition or removal of three structures and the rezoning 6202-6120 Cottage Grove Road to R2T, to the Common Council with a recommendation of **approval**. Further, the Planning Division recommends that the Plan Commission find the standards for land divisions are met with this request and **approve** the two Certified Survey Maps of property located at 6202-6210 Cottage Grove Road. Both recommendations are subject to input at the public hearing and the conditions from the Planning Division and other reviewing agencies.

1. That the applicants receive the approval of Planning Division, Zoning and Building Plan Review staff of site and building plans for the relocation of the residences currently at 6202-6210 Cottage Grove Road. (if the new sites are located within the City of Madison). Plans should identify the scope of the renovations to occur. In the event that the all or some of those buildings are not relocated, the reuse and recycling plan shall be approved by the Recycling Coordinator prior to the issuance wrecking permits.
2. That the landscape plan proposed for the 40' buffer on Cottage Grove Road be approved by staff.
3. That the 40' buffer be shown as a no build zone on the face of the CSM. Fences and landscaping would be allowed.

The following conditions have been submitted by reviewing agencies:

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

4. The accompanying Certified Survey Map application shall be conditionally approved and recorded prior to issuance of building permits.

5. Each lot shall be served by a separate sanitary sewer lateral.
6. This development is subject to impact fees for the Door Creek Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued.
7. The value of the sidewalk installation is under \$5000. The Applicant shall install public sidewalk along Cottage Grove Road. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
8. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
9. All work in the public right-of-way shall be performed by a City licensed contractor.
10. The Developer shall enter into a City / Developer agreement for the installation of public improvements required to serve this plat/csm. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat/csm without the agreement executed by the developer.
11. The following note shall be placed on the CSM:

LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO
IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S)
ARE ISSUED.
12. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
 - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
 - b. All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the certified survey. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.

13. The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop."
14. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred. Transmit to epederson@cityofmadison.com

Traffic Engineering Division (Contact John Leach, 267-8755)

15. The Developer shall put the following note on the face of the plat: "ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT (S)." Note: The final sign-off may be delayed until the transportation impact fees are negotiated or approved by the Council.

16. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

Zoning Administrator (Contact Pat Anderson, 266-5978)

17. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permits being issued.
18. Sec 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating 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.

Water Utility (Contact Dennis Cawley, 261-9243)

19. An additional water service lateral will need to be installed by the developer to lot 905 in order that each parcel will have a separate connection to a public water main.

20. All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21. This property is not in a Wellhead Protection District. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

Parks Division (Contact Tom Maglio, 266-6518)

21. The developer shall pay 9,307.95 in park dedication and development fees for 3 new sf units, minus credits for the existing 3 sf units.
22. The developer must select a method for payment of park fees before signoff on the rezoning.

Fire Department (Contact Scott Strassburg, 261-9843)

This agency submitted a response with no recommended conditions of approval.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.