



Report to the Plan Commission

March 18, 2013

Legistar I.D. #29094

2704 Waunona Way

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 TR-C1 (Traditional Residential – Consistent 1) District on a lakefront property.

Applicable Regulations & Standards: Section 28.185(7) provides the guidelines and regulations for the approval of demolition permits. Section 28.138 requires that new principal buildings or additions to buildings on a lakefront property must obtain a conditional use permit. Section 28.183(6) 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 can meet all applicable demolition and conditional use standards and **approve** the request for demolition and new construction at 2704 Waunona Way, subject to the recommended conditions and input provided at the public hearing.

Background Information

Applicant/Property Owner: David Pientok; 2704 Waunona Way; Madison, WI 53713

Project Contact: Jim Bergh; JW Custom Homes; PO Box 2105; Eau Claire, WI 54702

Proposal: The applicant proposes to demolish an existing single-family home to construct a new one-story single-family home.

Parcel Location: 2704 Waunona Way is located on the north side of Waunona Way between Woodley Lane and Raywood Road in the TR-C1 District; Aldermanic District 14 (Bruer); Madison Metropolitan School District.

Existing Conditions: The 11,607 square foot lot has a one-and-one-half story single-family home, constructed in 1930.

Surrounding Land Use and Zoning: The area surrounding the property is zoned TR-C1, and consists of single-family homes on 10,000 to 20,000 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 Metro Transit Route 12

Zoning Summary: The property is in the TR-C1 (Traditional Residential – Consistent 1) District

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	11,607 sq. ft.
Lot width	50'	52.70'
Front Yard Setback	20'	25'
Side Yard Setback	One-Story: 6' Two-Story: 7'	6.16' RS, 6.16' LS
Waterfront Setback	Average of Adjoining Properties	93.4'
Maximum Height	2 stories / 35'	27.125'
Maximum Lot Coverage	50%	32%
Usable Open Space (sq. ft./d.u)	1,000	adequate

Site Design

No. Parking stalls	1	2
Landscaping	Yes	Yes
Building Forms	Yes	Meets building forms req.

Other Critical Zoning Items: Utility Easements, Floodplain

Prepared by: Pat Anderson, Asst. Zoning Administrator

Project Description

The quarter-acre site is currently developed with a 1,686 square foot single-family home, constructed in 1930. The applicant notes that the one-and-one-half story home is built on a dirt crawl space, has old windows, and old electrical and plumbing systems. The home seems to be in good shape from a structural standpoint, although it does not appear to meet the long term needs of the applicant.

The applicant proposes to demolish the home, regrade and fill low portions of the southern half of the property with three to six feet of fill, and construct a new one-story single-family home with a walk-out basement on the lake side. The height of the new home is just over 27 feet, calculated based on the new zoning ordinance (average height of all four sides as measured from ground to rooftop from the *existing* grade). The new home will be a similar size as the existing home, with approximately 1,675 square feet of livable space on the main level, an unfinished basement, and an attached two-car garage with a side-by-side arrangement.

The placement of the new home in the central portion of the lot would involve the removal of three oak trees, the largest of which is currently growing through the deck. Based on most recent conversations with the applicant, a bur oak tree near the eastern property line would also be removed. Four additional oaks would remain on the lake side of the home. Vegetation within 35 feet of the shoreline, which is protected by ordinance, will remain undisturbed.

Note: The applicant recently submitted a revised plan that replaces much of the width of the front porch area with an interior laundry room. The main entrance leading to the home still faces Waunona Way, and has minimal impacts on the elevation. The revised elevations and floor plans, dated 3-13-13, are included in the Plan Commission's packet of materials.

Public Input

The applicant has indicated that she presented the plans to neighbors, and that they were in support of the proposal. Planning staff has discussed the proposal with the adjacent property owner to the east, who had concerns about the proposed grading plans and resulting water drainage onto her property. The applicant has since spoken with this property owner and is working with City Engineering staff to ensure that the site grading will not result in drainage onto adjacent properties. Proposed retaining walls on either side of the home will likely need to be moved away from property lines to meet Engineering requirements.

Staff also received an e-mail from a neighbor living across Waunona Way to the south, on Frazier Avenue, who noted that the new home may further obscure lake views from the street, due to its width and additional height. Comments received from the President of the Waunona Way Neighborhood Association echo this sentiment.

Evaluation and Conclusion

Demolition

Staff believes that while the 1930's home is structurally sound and in decent condition, the demolition standards are met with this application. Photos of the existing home are included within the applicant's

plan sheets and can be viewed online at the following link:

http://www.cityofmadison.com/planning/projects/reports/2704ww_photos.pdf

The Landmarks Commission reviewed this along with other proposed demolitions during their meeting of October 1, 2012, noting that there is no historic significance inherent in the home. The Preservation Planner has no additional comments to report to the Plan Commission.

Conditional Use

The proposed home meets all of the standards in the TR-C1 District, as well as the general standards from lakefront development. The loss of mature oak trees for the placement of the home is regrettable, although staff notes that at least two of these are in a central area on the property that would be very difficult to avoid with almost any new home. Staff recommends that the applicant replace the mature trees with four new canopy trees on the property.

With its increased width, the proposed home will sit approximately eight feet closer to the western property line and one foot closer to the eastern property line. As noted by a neighbor across the street to the south, this may impact lake views from the street. Staff recognizes that this will be a change, but believes that the applicant has worked diligently to find the best placement of this modest new home on the property. Staff notes that the eastern side yard, which is currently fenced off, with the result of impeding street views of Lake Monona, will no longer be fenced. While the six foot side yards are relatively narrow, they do meet all zoning requirements and will provide at least some views through the property to the lake.

Concerns have been raised by neighbors about the proposed regrading of the southern part of the site, which is understandable in this area prone to stormwater management issues. Staff notes that this property and the adjacent properties on either side are all below street level. The proposed regrading of this property involves three to six feet of fill, which will allow for the construction of a walk-out basement area, and result in a more level driveway. This regrading is supportable, so long as drainage impacts on adjacent properties are avoided. The applicant has met with City Engineering to discuss this, and understands that retaining walls may need to be relocated to better manage the drainage. These changes will need to be made and reviewed by City Engineering prior to final staff signoff.

Under the new zoning code, the Plan Commission shall consider 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, when applying the conditional use standards. The proposed home, when compared with others in this area, is relatively modest in size. The median livable area (excluding garages, basements and porches) of the homes within 300 feet on either side is approximately 2,600 square feet, and the proposed home is less than 1,700 square feet.

Staff believes that the conditional use standards can be met, so long as the applicant meets recommended conditions of approval, particularly with regard to ensuring that the proposed site grading and drainage does not negatively impact adjacent properties.

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 (Contact Heather Stouder, 266-5874)

1. Final plans submitted for staff review and approval shall include a landscape plan with four replacement canopy trees to replace the four oaks proposed for removal.
2. It appears that the new driveway location may impact the existing transit sign. Prior to submitting final plans for staff review and approval, the applicant shall contact Metro Transit (Tim Sobota at 261-4289) to either confirm that the existing transit sign can remain in its current location or to coordinate its relocation. The applicant shall assume responsibility for any costs of relocation.

The following conditions have been submitted by reviewing agencies:

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

3. The site plans indicate the existing sanitary sewer is located outside the easement limits. The Applicant shall dedicate an additional 5ft of sanitary sewer easement immediately to the south of the existing easement (document number 0861673).
4. The plan shows that all drainage is being directed down the side yards and onto neighboring properties. This is unacceptable. Resubmit the drainage design sharing the drainage responsibilities.
5. Modify the plans to show the flood plain.
6. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
7. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction (POLICY).
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. All damage to the pavement on Waunona Way, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
10. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)

Zoning Administrator (Contact Pat Anderson, 266-5978)

11. MGO Section 28.185(7)(a)5 requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Mr. George Dreckmann (608-267-2626).
12. MGO Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.

Fire Department (Contact Bill Sullivan, 261-9658)

13. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>
14. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities (608-246-4587). As little as one day can provide MFD with a great training opportunity.

Water Utility (Contact Dennis Cawley, 261-9243)

15. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
16. The property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Traffic Engineering (Contact Eric Halvorson, 266-6527)

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