



PREPARED FOR THE PLAN COMMISSION

Project Address: 5101 Lake Mendota Drive (Aldermanic District 19 - Ald. Furman)
Application Type: Conditional Use
Legistar File ID #: [59930](#)
Prepared By: Sydney Prusak, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: Erik Infield & Marie Dietrick; 5101 Lake Mendota Drive; Madison, WI 53705

Contact: Erik Infield; Infield Carpentry; 5101 Lake Mendota Drive; Madison, WI 53705

Requested Action: The applicants request a conditional use to construct an accessory building exceeding 800 square feet in area in the Suburban Residential – Consistent 1 (SR-C1) Zoning District at 5101 Lake Mendota Drive.

Proposal Summary: The applicants propose to demolish an existing 506 square-foot detached garage (accessory building) and replace it with a new 1,173 square-foot accessory building.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses, MGO §28.183(6)), as MGO §28.131(1)(b) requires conditional use approval for any individual accessory building exceeding 800 square feet at ground level in Suburban Residential (SR) Zoning Districts.

Review Required By: Landmarks Commission (LC) and Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to allow construction of an accessory building exceeding 800 square feet of area at 5101 Lake Mendota Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The 25,910-square-foot property is located on the southwest quadrant of the intersection of Lake Mendota Drive and Risser Road. It is located within Aldermanic District 19 (Ald. Furman) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: According to City Assessor data, the property is currently developed with a one-and-one-half story, four-bedroom, three-bathroom, 3,396-square foot single-family residence originally constructed in 1895. The property is zoned Suburban Residential – Consistent 1 (SR-C1) District and Wellhead Protection District (WP-14). Lastly, the site, along with five other parcels on Lake Mendota Drive, is within a local landmarks districts located around the Merrill Springs effigy mound group.

Surrounding Land Use and Zoning:

- North:** Across Lake Mendota Drive, single-family residences, zoned Traditional Residential - Consistent 2 (TR-C2) district;
- East:** Across Risser Road, single-family residences, zoned Suburban Residential - Consistent 1 (SR-C1) district;
- South:** Single-family residences, zoned SR-C1; and
- West:** Single-family residences, zoned SR-C1.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends low residential (LR) uses for the subject parcel, which generally includes single- and two-family residences up to two stories and 15 dwelling units per acre. The [Spring Harbor Neighborhood Plan](#) (2006) does not include any specific recommendations for this parcel.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000 sq. ft.	25,910 sq. ft.
Lot Width	60 ft.	112 ft.
Front Yard Setback	30 ft.	170 ft.
Side Yard Setback	3 ft. (accessory building)	3.25 ft.
Reverse Corner Side Yard Setback	15 ft.	82 ft.
Rear Yard Setback	3 ft. (accessory building)	3 ft.
Usable Open Space	1,300 sq. ft.	>1,300 sq. ft.
Maximum Lot Coverage	50%	<50%
Maximum Building Height: Accessory Building	15 ft. (mean roof height)	13.75 ft.

Other Critical Zoning Items:	Historic District; Wellhead Protection District
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Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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.

Project Description, Analysis, and Conclusion

The applicants request approval of a conditional use to allow the construction of an accessory building greater than 800 square feet in floor area in a Suburban Residential Zoning District at 5101 Lake Mendota Drive. The applicants proposed to demolish the existing 506 square-foot detached garage and construct a larger (1,173 square-foot) accessory building. The accessory building will contain a two-car garage and additional storage/workshop space. As proposed, the existing driveway will remain and the garage portion of the accessory building will occupy the same general footprint as the existing structure. The building will be clad in prefinished composite siding and will have a pitched roof and carriage style roll-up garage doors.

This request is subject to the Conditional Use 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.

In considering the adopted plan recommendations, the Planning Division believes that the proposal is generally consistent with the [Comprehensive Plan](#) (2018). The [Comprehensive Plan](#) (2018) recommends low residential (LR) uses for the subject parcel, generally defined as single- and two-family residences up to two stories in height and 15 dwelling units per acre. There is no proposed addition of density or change of use with this application. The [Spring Harbor Neighborhood Plan](#) (2006) does not include any specific recommendations for this parcel, but identifies it for residential land uses.

Furthermore, the Planning Division believes that the Conditional Use Approval Standards can be found met. Staff notes the varied pattern of residential development on Lake Mendota Drive, Minocqua Crescent, and Risser Road. Staff does not believe that the larger accessory building will inhibit the normal and orderly development nor will it disrupt the uses values and enjoyment of surrounding property.

The Planning Division notes that subject property is a designated landmark site in the Merrill Spring Mound Group, as there is a burial mound located on the property. Therefore, the applicants submitted a Request to Disturb a Human Burial Site with the Wisconsin State Historic Preservation Office (SHPO), which was authorized on October 28, 2019. Additionally, this request went before the City's Landmarks Commission on January 13, 2020 ([Legistar #58739](#)) for a Certificate of Appropriateness. While the submitted site plan does not include the burial mound, SHPO confirmed that the new accessory building is not located within the catalogued area. The City's Preservation Planner found that the new garage and shed will be located well away from the archaeological site and its location on the property will not negatively impact the site. Further, the accessory building is believed to be compatible with other such structures in the vicinity.

The Landmark's Commission, meeting in regular session, voted to approve the request for the Certificate of Appropriateness with the following conditions:

1. That there be a maximum 30-day stay of issuing the Certificate of Appropriateness so the Preservation Planner can notify the Tribal Historic Preservation Officer of the Ho-Chunk nation about the proposed project; and
2. That the final archaeological monitoring report be filed with the Preservation Planner upon completion of the construction activities.

Since that approval, the Preservation Planner contacted the Ho-Chunk Tribal Historic Preservation Officer and they did not object to the proposal.

Due to Landmarks Commission's finding, and the design of the garage, its location on the site, and its scale compared to the surrounding neighborhood development, the Planning Division believes the conditional use standards can be found met with the conditions listed below.

At the time of report writing, staff did not receive any comments from the public.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to allow construction of an accessory building exceeding 800 square feet of area at 5101 Lake Mendota Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Sydney Prusak, (608) 243-0554)

1. The applicant shall file the final archaeological monitoring report with the Preservation Planner upon completion of the construction activities.
2. The following information is provided for the reference of the applicant for properties associated with locations of Native effigy mounds and archaeological sites.

Burial Sites Preservation (§ 157.70):

(2r) Site Disturbance Prohibited. Except as provided under subs (4) and (5) and State Statute 157.111 and 157.112, no person may intentionally cause or permit the disturbance of a burial site or catalogued land contiguous to a catalogued burial site.

(3) Report of Disturbed Burial Sites. (a) Except as provided under s. 979.01, a person shall immediately notify the Wisconsin Historical Society (608-264-6502) if the person knows or has reasonable grounds to believe that a burial site or the catalogued land contiguous to a catalogued burial site is being disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

This site is known to be associated with archeological and historic resources. The Burial Sites Preservation statute requires that the property owner contact the Wisconsin Historical Society to discuss the location of the proposed project and any possible disturbance of an archaeological or historic resource before the work commences. During the construction work, if a burial site disturbance occurs, the work shall stop immediately until the Wisconsin Historical Society is able to assess the site.

Engineering Division (Contact Tim Troester, (608) 267-1995)

3. Revise plan to show the location of all rain gutter down spout discharge locations. (POLICY)
4. Revise plan set to show more information on proposed drainage for the site. Use either spot elevations and drainage arrows or proposed contours to show the required drainage information. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)

5. As noted on the plans, this improvement falls within the 500-year flood plain.

City Engineering Division - Mapping (Contact Jeff Quamme, (608) 267-1995)

6. Provide a full and complete legal description of the site or property being subjected to this application on the site plan. The dimensions of all property lines shall be provided on the site plan.
7. A survey by a professional land surveyor locating the west and southerly property lines of this parcel to assure the accurate location of this building addition is recommended.