

PLANNING DIVISION STAFF REPORT

August 9, 2021



PREPARED FOR THE PLAN COMMISSION

Project Address: 1620 Waunona Way (14th Aldermanic District, Ald. Carter)
Application Type: Conditional Use
Legistar File ID #: [66113](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Jeff Stowe; Sto Architecture, LLC; 10020 Watts Rd; Verona, WI 53593

Property Owner: Ro Mehta & Jerdan Ruff; 1620 Waunona Way; Madison, WI 53713

Requested Action: The applicant is requesting approval of Conditional Uses for an accessory building exceeding 576 square feet in a TR District [§28.131(1)(b) MGO] and lakefront development [§28.131(1)(b) MGO] at 1620 Waunona Way.

Proposal Summary: The applicant proposes construct a 660 square-foot accessory building on the site of an existing boathouse on a lakefront property.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.183], and Lakefront Development [MGO §28.138]. MGO §28.138(2)(a) states that any accessory building on zoning lots abutting Lake Monona and associated bays shall require Conditional Use approval.

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to allow an accessory building greater than 576 square feet in a TR district, which is also lakefront development, at 1620 Waunona Way. 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 11,488-square-foot property is located on the north side of Waunona Way on Lake Monona, approximately ¼ mile east of Hoboken Road. It is located within Aldermanic District 14 (Ald. Carter) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The property is zoned Traditional Residential – Consistent 1 (TR-C1) District and is developed with a two-story, three-bedroom, two-and-one-half-bathroom, 2,110-square-foot single-family residence built in 1926. There is also currently a boathouse near Lake Monona Shore.

Surrounding Land Use and Zoning:

North: Lake Monona;

East: Single-family residences, zoned Traditional Residential – Consistent 1 (TR-C1) district;

South: Across Waunona Way, single-family residences, zoned TR-C1; and

West: Single-family residences, zoned TR-C1.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel. The [Broadway/Simpson/Waunona Neighborhood Plan](#) (1986) does not have specific land use recommendations for the site.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000	11,487
Lot Width	50 ft	50 ft
Front Yard Setback	20 ft	190 ft
Side Yard Setback	3 ft (accessory building)	5 ft, 19 ft
Lakefront Yard Setback	3 ft (accessory building)	10 ft
Usable Open Space	1,000 sq ft	Existing, no change
Maximum Lot Coverage	50%	Existing, no change
Maximum Building Height	15 ft (mean roof height)	12 ft

Other Critical Zoning Items	Utility Easements, Floodplain, Wetlands
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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 applicant and homeowner is requesting conditional use approval for an accessory building over 576 square feet in a TR zoning district and for lakefront development. According to the letter of intent, the existing boathouse has suffered damage over time due to flooding. The applicant intends to reuse the existing foundations and build a new 660 square-foot accessory building for use as a home office. In addition to office space, the building will include a bathroom and mechanical room. The submitted plans show a building with a shed roof with gray cement board siding on the lower portions of the structure and cedar siding on upper portions. Additional materials include black metal fascia, columns, door and window frames, and a metal roof. An existing wood deck on the west side of the existing boathouse will also be removed and replaced with a new wood deck. The existing and proposed buildings are 10'-6" from the ordinary high water mark. An existing concrete platform between the boathouse and the ordinary high water mark will remain.

The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) for this site, a land use designation predominantly made up of single-family and two-unit structures, but that may include smaller two-, three-, and four-unit apartment buildings and rowhouses. The [Broadway/Simpson/Waunona Neighborhood Plan](#) (1986) does not have specific land use recommendations for the site. In considering the adopted plan recommendations, the Planning Division believes that the proposed use is generally consistent with the [Comprehensive Plan](#) and the [Broadway/Simpson/Waunona Neighborhood Plan](#).

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. Staff notes that state law requires that conditional use findings must be based on “substantial evidence” that directly pertains to each standard and not based on personal preference or speculation. Due to the surrounding structures and similar land uses, as well as the plan recommendations, staff believes the Plan Commission can find the applicable conditional use approval standards can be met.

Lakefront Development Standards

The lakefront development standards were established to further the maintenance of safe and healthful conditions by preserving and enhancing water quality, habitats, viewsheds, and other environmental and aesthetic qualities of lakes. This section includes additional regulations including limitations on the clearing of shoreline vegetation, requirements for public sewer, environmental protections, and additional lot coverage standards. This section also includes the methodology to establish the building setback from the lake. As the structure is to be rebuilt where an existing structure was constructed, and at the same scale, Staff believe the lakefront development standards are met.

Staff also note that the subject site is not located in a mapped environmental corridor, although a narrow area adjacent to the lakefront falls within the flood storage district.

At the time of report writing, staff is unaware of public comment regarding this request.

Recommendation

Planning Division Recommendation

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to allow an accessory building greater than 576 square feet in a TR district, which is also lakefront development, at 1620 Waunona Way. 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 Colin Punt, (608) 243-0455)

1. This site is located within the Monona Cross prehistoric village site. This proposal does not require a Request to Disturb, but caution is recommended related to possible inadvertent discoveries. During the construction work, if a burial site disturbance occurs or excavations reveal human remains, contact the State Archaeologist immediately. Work shall stop immediately until the Wisconsin Historical Society is able to assess the site. The following information is provided for the reference of the applicant because the site may be associated with 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 cataloged land contiguous to a cataloged burial site is being disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

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

2. It is not clear based upon the plans whether the boathouse is connected to City sewer. The new building has a bathroom so it will need sanitary sewer. Applicant shall revise plan to clarify where the sanitary sewer service located. If there is an existing sewer lateral, applicant shall obtain a sewer plug permit. If the boathouse does not have a existing sewer service, applicant shall revise plan to show how the building will be connected to City sewer.
3. Applicant has conflicting information on the plans. Sheet 2 of 6 calls the floor elevation as 846.9 (in the floodplain) while sheet 4 of 6 says the new finish floor is 848.9 (out of the floodplain). It is also unclear if the existing lot is being filled in the floodplain to allow for this construction. This is area is a WDNR storage district floodplain and filling of the floodplain is not allowed. Additional information/revised shall be submitted to allow for a better review.
4. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
5. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
6. Revise the site plan 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).

Engineering Division – Mapping Section (Contact Jeff Quamme, (608) 266-4097)

7. Applicant shall accurately show the location and width of the existing 10' Wide Public Sanitary Sewer Easement per Doc No. 1062252 and the associated 8" diameter sanitary sewer lying between the dwelling and auxiliary building to be constructed on the site plan..

Fire Department (Contact Bill Sullivan, (608) 886-4691)

8. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org/building-residential-fire-sprinklers>.

The Office of the Zoning Administrator, Traffic Engineering Division, Parks Division, Forestry Section, Water Utility, and Metro Transit have reviewed this request and have recommended no conditions of approval.