

PLANNING DIVISION STAFF REPORT

April 8, 2024



PREPARED FOR THE PLAN COMMISSION

Project Address: 1254 East Washington Avenue (District 6, Alder Rummel)
Legistar File ID #: [82251](#)
Prepared By: Lisa McNabola, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Owner: Neka Allen; 1254 East Washington Avenue, Madison, WI 53703

Requested Action: Consideration of a conditional use in the Commercial Corridor-Transitional (CC-T) District for a single-family residence to allow a commercial building to be converted into a single-family residence.

Proposal Summary: The applicant proposes to convert a commercial building into a single-family residence.

Applicable Regulations & Standards: Standards for conditional uses are found in MGO Section 28.183(6).

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the approval standards for conditional uses are met and **approve** the request to convert a commercial building into a single-family residence at 1254 East Washington Avenue. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 1,637 square-foot (0.03-acre) parcel is located at the northwest corner of East Washington Avenue and North Baldwin Street. It is located within District 6 (Alder Rummel) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject parcel is occupied by a 2,799 square foot, two-story commercial building built in 1918 and remodeled in 2022. The site is zoned Commercial Corridor-Transitional (CC-T) District.

Surrounding Land Use and Zoning:

North: Residential, zoned Traditional Residential – Varied 1 (TR-V1) District and Traditional Residential – Varied 2 (TR-V2) District;

East: Across North Baldwin Street, a bar and residential buildings, zoned Commercial Corridor – Transitional (CC-T) District; six-story multifamily building, zoned Traditional Employment (TE) District; residential, zoned TR-V1 District;

South: Across East Washington Avenue, Shopbop office and warehouse; and

West: Commercial buildings, three-story multifamily building, zoned CC-T District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2023) recommends Neighborhood Mixed Use (NMU) development for the subject property and adjacent properties. Surrounding properties are recommended for a mix of Regional Mixed Use (RMU), Medium Residential (MR), and Employment (E) development.

The [Tenney-Lapham Neighborhood Plan](#) (2008) recommends Community Mixed Use development for the subject site. The [East Washington Capitol Gateway Corridor Plan](#) (2008) recommends Community Mixed Use development for the subject site.

Zoning Summary: The property is zoned Commercial Corridor-Transitional (CC-T) District.

Requirements	Required	Proposed
Lot Area (sq. ft.): For exclusive residential use	500 sq. ft./ d.u. (500 sq. ft.)	1,637 sq. ft.
Front Yard Setback	0' or 5'	Existing front setback
Max. Front Yard Setback: TOD	20'	Existing front setback
Side Yard Setback: Street side yard	0' or 5'	Existing side setback
Side Yard Setback: For exclusive residential use	10'	Existing side setback
Rear Yard Setback	The lesser of 20% of lot depth or 20'	Existing rear yard setback
Usable Open Space: TOD	Not required	None
Maximum Lot Coverage	85%	Existing lot coverage
Minimum Building Height: TOD	2 stories	2 story existing building
Maximum Building Height	5 stories/78'	2 story existing building

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not within 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 proposes to convert an existing two-story commercial building into a single-family residence. A single-family residence is a conditional use in the Commercial Corridor – Transitional (CC-T) District.

The 2,799 square foot two-story building occupies the entire lot. There is a deck on the rooftop of the one-story addition at the rear of the lot.

The building previously had a commercial space on the first floor and a two-bedroom apartment on the second floor. In 2022, the first floor was remodeled to update the kitchen and bathroom. No exterior or interior changes are proposed at this time.

Conformance with Adopted Plan

The [Comprehensive Plan](#) (2023) recommends Neighborhood Mixed Use (NMU) development for the subject property and adjacent properties. NMU areas include relatively small existing and planned Activity Centers that include residential uses, as well as retail, restaurant, service, institutional, and civic uses primarily serving nearby residents. The Plan specifies that not every building in a mixed-use district needs to include both residential and non-residential uses.

The [Tenney-Lapham Neighborhood Plan](#) (2008) recommends Community Mixed Use development for the subject site. The [East Washington Capitol Gateway Corridor Plan](#) (2008) recommends Community Mixed Use development for the subject site.

Conditional Use Standards

The conditional use approval standards state that the Plan Commission shall not approve a conditional use without due consideration of the City’s adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to 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.

The Comprehensive Plan (2023) recommends Neighborhood Mixed Use (NMU) development. Per the Comprehensive Plan, a single family detached building is not identified among the recommended building forms in NMU areas. However, staff do not believe or have evidence that the conversion of this small, roughly 2,800 square foot commercial building into a single-family residence would preclude the normal and orderly development of mixed-use development in the surrounding area, consistent with adopted plans. As noted above, the Comprehensive Plan specifies that not all buildings in mixed-use areas need to include a mix of uses.

Staff believe the conditional use approval standards can be found met.

Recommendation

Planning Division Recommendation (Contact Lisa McNabola, 243-0554)

The Planning Division recommends that the Plan Commission find the approval standards for conditional uses are met and **approve** the request to convert a commercial building into a single-family residence at 1254 East Washington Avenue. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Zoning (Contact Jenny Kirchgatter, 266-4429)

1. The Obtain a Certificate of Occupancy for the conversion of the commercial building to a single-family dwelling. Contact Building Inspection Plan Review staff to determine whether a building code plan review will be required for the conversion to a single-family dwelling.

Fire Department (Contact Matt Hamilton, 266-4457)

2. 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/>

Parks Division (Contact Kathleen Kane, 261-9671)

3. Park Impact Fees are due for the net gain in residential (to SF home) with this proposal. Credit will be given for the existing 2BR MF unit.
4. Parks has added an impact fee hold on the parcel associated with this address that will prevent the issuance of further Building Inspection permits, including the Certificate of Occupancy. The hold will be lifted following the payment of Park Impact Fees.

5. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID# 24013 when contacting Parks about this project.

Metro Transit (Contact Timothy Sobota, 261-4289)

6. Metro Transit operates daily all-day transit service along East Washington Avenue adjacent this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays)

Engineering Mapping (Contact Julius Smith, 264-9276)

7. Both kitchens from the street level studio apartment and the upstairs apartment are shown. This would indicate the property would continue to have 2 apartment addresses.

Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan.

The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning.

For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

The following agencies reviewed the request and recommended no conditions of approval: Traffic Engineering, Forestry, Water Utility, Engineering Division, Parking Utility.