



PREPARED FOR THE PLAN COMMISSION

Project Address: 1621 Capital Avenue
Application Type: Conditional Use
Legistar File ID # [66115](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: Jeff Radtke & Julie Byrnes; 1621 Capital Avenue; Madison.

Requested Actions: Consideration of a conditional use for accessory buildings exceeding 1,000 square feet in the Suburban Residential–Consistent 1 (SR-C1) District at 1621 Capital Avenue.

Proposal Summary: The applicant is seeking approval to construct a one-story, 665 square-foot detached workshop building and a separate 144 square-foot detached shed in the rear yard of a single-family residence. The property is already improved with a 484 square-foot carport and 64 square-foot detached shed, which results in a combined square-footage of accessory buildings of 1,357 square feet for the four buildings. The applicant wishes to begin construction of the two additional accessory buildings as soon as all regulatory approvals have been granted, with completion anticipated in November 2021.

Applicable Regulations & Standards Section 28.131(1) of the Zoning Code states that all accessory buildings and structures on lots in any district used exclusively for residential and mixed-use purposes shall not have a ground floor area exceeding ten percent (10%) of lot area but no more than 1,000 square feet unless approved as a conditional use. Section 28.183 provides the process and standards for the approval of conditional use permits.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use for accessory buildings exceeding 1,000 square feet at 1621 Capital Avenue, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Parcel Location: An approximately 0.65-acre (28,276 square-foot) parcel located on the southerly side of Capital Avenue, approximately 400 feet east of Old Middleton Road; Aldermanic District 19 (Furman); Madison Metropolitan School District.

Existing Conditions and Land Use: The site is developed with a one-story, 1,914 square-foot single-family residence with partially finished basement, 484 square-foot detached carport, and 64 square-foot shed; the parcel is zoned SR-C1 (Suburban Residential–Consistent 1 District).

Surrounding Land Uses and Zoning: The subject site is primarily surrounded by other single-family residences in SR-C1 (Suburban Residential–Consistent 1 District) zoning. Further east of the site, the south side of Capital Avenue is developed with a series of four-unit multi-family dwellings and a 24-unit apartment building in SR-V1 (Suburban Residential–Varied 1 District) zoning.

Adopted Land Use Plans: The 2018 Comprehensive Plan recommends the subject site and adjacent parcels for Low Residential. The multi-family parcels located east of the site closer to University Avenue are recommended for Medium Residential.

The site and surrounding area are also located within the boundaries of the 2006 Spring Harbor Neighborhood Plan, which includes no recommendations relevant to the proposed conditional use request.

Zoning Summary: The site is zoned SR-C1 (Suburban Residential–Consistent 1 District):

Requirements	Required	Proposed
Lot Area	8,000 sq. ft.	28,276 sq. ft. (Existing)
Lot Width	60'	125' (Existing)
Front Yard	30'	Adequate (Existing)
Side Yards – Accessory Building	3'	24.5' east 44' west
Rear Yard – Accessory Building	3'	51.5'
Maximum Lot Coverage	50%	Less than 50%
Building Height – Accessory Building	15'	Less than 15' – Will comply
Automobile Parking	1 stall	Existing detached carport
Other Critical Zoning Items		
Yes:	Utility Easements	
No:	Barrier Free, Urban Design, Floodplain, Landmarks, Waterfront Development, Adj. to Park, Wellhead	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

Environmental Corridor Status: The property 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 are requesting approval of a conditional use to allow construction of accessory buildings exceeding 1,000 square feet of combined area in the rear yard of a single-family residence at 1621 Capital Avenue.

The subject site is a 28,276 square-foot parcel with approximately 125 feet of frontage along Capital Avenue, which is developed with a one-story, 1,914 square-foot residence. In addition to the residence, the property is also developed with an approximately 484 square-foot detached carport located south of the house and a 64 square-foot shed located south of the carport. The property is characterized by mature tree cover across most of the site, including a line of large-caliper spruce behind the carport, and large walnut trees on the southerly third of the property, as shown on the attached site plan.

The applicants are proposing to construct a hexagonal 665 square-foot detached workshop building on the southerly third of the property. Additionally, the site plan for the request indicates that a second shed will be added east of the proposed workshop, though details of the 12-foot by 12-foot second shed noted on the site plan are not included in the application materials.

The combined square-footage of the four accessory buildings to be located on the subject property will be 1,357 square feet. Section 28.131(1) of the Zoning Code states that all accessory buildings and structures on lots in any district used exclusively for residential and mixed-use purposes shall not have a ground floor area exceeding ten percent of lot area but no more than 1,000 square feet unless approved as a conditional use.

The Planning Division believes that the conditional use standards can be met to allow construction of the two additional accessory buildings on the 28,276 square-foot property. The four accessory buildings will cover less than five percent (5%) of the area of the subject parcel, and the resulting site improvements should not have an adverse impact on the uses, values, and enjoyment nor the normal and orderly development of surrounding properties, which include single-family residences on parcels of varying size.

No alder or public comments have been received as of the writing of this report that would suggest that the Plan Commission could not approve the request as submitted.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use for accessory buildings exceeding 1,000 square feet at 1621 Capital Avenue, subject to input at the public hearing and the conditions from reviewing agencies that follow.

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

Planning Division

1. Revise the plans prior to issuance of permits to include a material palette for the 665 square-foot workshop building and provide floorplans and elevations for the new 144 square-foot shed.

City Engineering Division (Contact Brenda Stanley, 261-9127)

This agency has reviewed this request and has recommended no conditions of approval.

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

This agency has reviewed this request and has recommended no conditions of approval.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

This agency has reviewed this request and has recommended no conditions of approval.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

This agency has reviewed this request and has recommended no conditions of approval.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency has reviewed this request and has recommended no conditions of approval.

Water Utility (Contact Adam Wiederhoeft, 261-9121)

This agency has reviewed this request and has recommended no conditions of approval.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency has reviewed this request and has recommended no conditions of approval.

Parks Division (Contact Sarah Lerner, 261-4281)

This agency has reviewed this request and has recommended no conditions of approval.

Forestry Section (Contact Wayne Buckley, 266-4892)

2. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. The contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
3. As defined by the Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.
4. Street tree protection zone fencing is required if any activities take place in the terrace area such as storage of materials etc. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.
5. Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
6. Section 107.13(g) of *City of Madison Standard Specifications for Public Works Construction* addresses soil compaction near street trees and shall be followed by the contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.