



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1132 Drake Street (13<sup>th</sup> Aldermanic District, Ald. Eskrich)  
**Application Type:** Conditional Use  
**Legistar File ID #:** [47309](#)  
**Prepared By:** Chris Wells, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant / Property Owner:** Michael Kass; 1132 Drake Street; Madison, WI 53715

**Requested Action:** There are two Conditional Uses requested: 1) approval of a Conditional Use to allow construction of an accessory dwelling unit (ADU), and 2) approval of a Conditional Use to allow the total area of the accessory buildings on a site, measured at the ground floor, to exceed ten percent of the lot area at 1132 Drake Street.

**Proposal Summary:** The applicant proposes to construct a two-story, roughly 550-square-foot accessory dwelling unit at the northwest corner of the subject property.

**Applicable Regulations & Standards:** This proposal is subject to the standards for conditional uses (MGO §28.183(6)), as §28.032(1) of the Zoning Code lists an *Accessory Dwelling Unit* as a conditional use in all residential districts. Furthermore, §28.131(1)(a) also states that the total area of accessory buildings measured at the ground floor exceeding ten percent of lot area may be allowed by conditional use approval. The Supplemental Regulations [MGO §28.151] contain further regulations for an accessory dwelling unit.

**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 construction of an accessory dwelling unit, and to allow the total area of the accessory buildings on a site, measured at the ground floor, to exceed ten percent of the lot area at 1132 Drake Street. 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 7,800-square-foot (0.18-acre) property is located on the north side of Drake Street between S. Orchard Street and S. Mills Street; within Aldermanic District 13 (Ald. Eskrich); and within the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The property is zoned TR-C3 (Traditional Residential – Compact 3) District and is developed with a 1½-story, three-bedroom, 1½-bathroom, roughly 1,540-square-foot single-family residence. It was originally constructed in 1909. A detached, two-car garage is located along the eastern lot line towards the northeast corner of the lot and is accessed via a driveway which runs between the existing residence and the eastern property line.

**Surrounding Land Use and Zoning:**

North: Single-family, two-unit, and three-unit residences as well as the Trinity United Methodist Church, all zoned Traditional Residential – Compact 3 (TR-C3) District;

South: Single-family and two-unit residences, zoned TR-C3;

East: Single-family and two-unit residences, zoned TR-C3; and

West: Single-family and two-unit residences, zoned TR-C3.

**Adopted Land Use Plan:** The [Comprehensive Plan \(2006\)](#) recommends Low-Density Residential (0-15 units per acre). While the [Brittingham-Vilas Neighborhood Plan \(1989\)](#), [Greenbush Plan \(2008\)](#), [Greenbush-Vilas Neighborhood Housing Revitalization Plan \(2010\)](#) do not provide specific recommendations for the subject site, they all generally recommend preserving the existing housing stock and residential character in the area which includes the subject parcel.

**Zoning Summary:** The property is in the Traditional Residential – Compact 3 (TR-C3) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	7,800 sq. ft. (See Comment #7)
Lot Width	30'	50'
Front Yard Setback	15'	Adequate
Max. Front Yard Setback	30' or up to 20% greater than block average	Adequate
Side Yard Setback: Accessory Building	3'	4'
Rear Yard Setback: Accessory Building	3'	4'
Usable Open Space	500 sq. ft.	Adequate
Maximum Lot Coverage	75%	Less than 75%
Maximum Building Height: Accessory Dwelling Unit	25'	20'
Number Parking Stalls	Single-family detached dwelling: 1 (location only) Accessory dwelling unit: None	Existing detached garage
Number Bike Parking Stalls	None	None
Building Forms	None	Accessory Dwelling Unit (See Comment #9)
<b>Other Critical Zoning Items</b>	Utility Easements	

*Table Prepared by Jenny Kirchgatter, 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**

The applicant proposes to construct a two-story, roughly 550-square-foot accessory dwelling unit at the northwest corner of the subject property. It will be approximately 550 total square-feet (with a footprint of roughly 304 square-feet, as measured at grade). This 304 square-foot ground floor will contain a kitchen and bathroom while the roughly 260-square-foot second floor will serve as a large bedroom. The ADU will be accessed via a paved walkway that will lead from the existing driveway, along the western side of the garage, to the eastern side of the structure where the main entrance will be sheltered by a covered porch.

Like the principal structure, the ADU will have a gable roof with a covered, front porch. However, while the principal structure and garage both have their gable ends facing the street (i.e. north/south), the ADU's will be oriented east/west. Regarding materials, the applicant has stated an interest to have the ADU's match those of the principal structure. To that end, a horizontal lap siding will be used on the exterior (either wood or composite, TBD), colored yellow to match the house with light green trim (material also TBD). The roof will be asphalt and the windows, vinyl.

## Analysis and Conclusion

The applicant requests approval of two conditional uses: 1) to construct an accessory building with an accessory dwelling unit (ADU) and 2) to allow the total area of the accessory buildings on a site, measured at the ground floor, to exceed ten percent of the lot area at 1132 Drake Street. This request is subject to the Conditional Use standards as well as the Supplemental Regulations for accessory dwelling units.

### Conformance with Adopted Plans

The Planning Division believes the proposed use is consistent with the [Comprehensive Plan \(2006\)](#) which recommends Low-Density Residential (0-15 units per acre). Currently at 5.55 dwelling units per acre, even with the additional proposed dwelling unit, the site would still be well under the recommended density at 11.1 dwelling units per acre. Additionally, the [Comprehensive Plan](#) includes accessory dwelling units on the list of recommended housing types in the LDR District. While the [Brittingham-Vilas Neighborhood Plan \(1989\)](#), [Greenbush Plan \(2008\)](#), [Greenbush-Vilas Neighborhood Housing Revitalization Plan \(2010\)](#) do not provide specific recommendations for the subject site, they all generally recommend preserving the existing housing stock and residential character in the area which includes the subject parcel.

### Conditional Use Standards

In regards to the approval 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 the surrounding neighborhood, ADUs and two-story accessory structures are not commonly found. Adding an ADU of the size proposed would raise the total area of accessory buildings on the subject site (as measured at ground floor) to 844 square-feet (i.e. 326 square-feet for the ADU and 540 square-feet for the existing, detached garage). This in itself would require Conditional Use approval as §28.131(1) of the Zoning Code limits the total area of all accessory buildings to a maximum of 10-percent of the site area. As proposed, the total accessory building footprint is calculated at 10.8-percent of the 7,800-square-foot subject site which is allowable only with conditional use approval.

As a measure of compatibility, staff have analyzed the FAR, or floor area ratio, which compares the total building floor area (on all floors) to the lot area. (An FAR of 1.0 would indicate that the total building floor area is equal to the lot area.) The calculated FAR for the subject site is 0.31 (existing) and 0.38 with the proposed ADU. The estimated median FAR for the neighboring parcels located along the entire north side of Drake Street is 0.34 FAR. While the proposed development's FAR would exceed the median, it is within the range of other properties on the block (i.e. 0.12 – 0.62).

## Supplemental Regulations for Accessory Dwelling Units

Accessory dwelling units are also subject to the Supplemental Regulations pursuant to Section 28.151. Generally, the Supplemental Regulations speak to consistency and compatibility of the proposed accessory dwelling unit with the principal residence, including overall size, design/appearance and placement. Furthermore, they outline occupancy requirements of the accessory dwelling unit and accompanying single-family residence. The Planning Division believes these regulations are met, with the recommended conditions.

### Conclusion

The Planning Division believes the conditional use standards can be found met. As described above, staff believes that the proposed accessory dwelling unit is consistent with the Comprehensive Plan (2006), Brittingham-Vilas Neighborhood Plan (1989), Greenbush Plan (2008), and Greenbush-Vilas Neighborhood Housing Revitalization Plan (2010). Staff also believe that the proposed structure is generally consistent with and maintains the neighborhood's residential character. Furthermore, staff believes that the proposal is compliant with the Zoning Code's various requirements for Accessory Dwelling Units. Lastly, while the addition of the ADU would result in a large amount of total building square-footage, when compared to the size of the parcel (which the subject parcel is one of the largest), even with the ADU, the floor-to-area ratio (or FAR) for the subject parcel is just 12-percent above median and compatible when compared to the existing range for the street. In conclusion, staff does not anticipate that the proposed accessory dwelling unit will result in negative impacts on the surrounding properties.

At the time of report writing, staff was not aware of any concerns related to this request.

## Recommendation

### Planning Division Recommendation (Contact Chris Wells, 261-9135)

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 dwelling unit, and to allow the total area of the accessory buildings on a site, measured at the ground floor, to exceed ten percent of the lot area at 1132 Drake Street. 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

### City Engineering Division (Contact Timothy Troester, (608) 267-1995)

1. Applicant shall either provide a separate lateral to the proposed accessory dwelling or connect to the lateral serving the primary residence.
2. This property currently allows drainage from the N to drain to Drake Street. This drainage pattern needs to be maintained. A drainage plan showing contours or spot elevations shall be provided showing this pattern being allowed with the new construction.

**City Engineering Division - Mapping** (Contact Jeffrey Quamme, (608) 266-4097)

3. The site plan shall identify lot and block numbers of recorded Plat.
4. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
5. The site plan shall note the distances of all property lines. Additionally, please note that the rear width of the parcel is not 60 feet, it is 55 feet. A survey of the parcel is recommended for the correct location of existing improvements and the placement of proposed improvements.
6. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records. The address of the ADU is 1134 Drake St.

**Zoning** (Contact Jenny Kirchgatter, (608) 266-4429)

7. The accessory dwelling unit may not be rented as a tourist rooming house except as it complies with the supplemental regulations of Section 28.151 for a Tourist Rooming House. A tourist rooming house shall be the operator's primary residence. Only the owner of the property may operate a tourist rooming house, except that a renter may operate if explicitly allowed in the lease.
8. Submit an accurate site plan showing the lot dimensions and dimensions of the proposed accessory dwelling unit. City records show the size of the lot is 7,800 sq. ft. in area.
9. Identify and label the proposed building materials and colors on the building elevations.
10. The accessory dwelling unit shall comply with the supplemental requirements of Section 28.151 for an Accessory Dwelling Unit. The principal dwelling or the accessory dwelling unit must be owner-occupied. The number of occupants of the accessory dwelling unit shall not exceed one (1) family or two (2) unrelated individuals. The accessory dwelling unit shall not be sold separately from the principal dwelling.

**Fire Department** (Contact Bill Sullivan, (608) 261-9658)

11. Use of the dwelling unit as a bed and breakfast elevates the risk and liability to the owner and occupants; therefore, Madison Fire Department STRONGLY 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/fire-sprinkler-guide/>

**Parks/Forestry Division** (Contact Janet Schmidt, (608) 261-9688)

12. 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(6) will be required for all new residential development associated with this project. This development is within the Central Park -Infrastructure Impact Fee district. Please reference ID# 17127 when contacting Parks about this project.