

PLANNING DIVISION STAFF REPORT

April 4, 2016



PREPARED FOR THE PLAN COMMISSION

Project Address: 5318 Hoboken Avenue (14th Aldermanic District, Ald. Carter)

Application Type: Conditional Use

Legistar File ID # [41947](#)

Prepared By: Kevin Firchow, AICP, Planning Division

Reviewed By: Jay Wendt, Principal Planner

Report Includes Comments from other City Agencies, as noted

Summary

Applicant | Contact: Gabrielle Hinahara; Perennial Cooperative of Madison; 5318 Hoboken Road; Madison, WI 53713

Property Owner: Shoban Thakkar and George Brown; 132 E. Wilson St, Unit 501; Madison, WI 53703

Requested Actions: The applicant requests approval of a conditional use to convert a 4-unit apartment building into a 10-bedroom cooperative house on a property zoned TR-V1 (Traditional Residential-Varied 1).

Proposal Summary: The applicant proposed to convert a four (4)-unit apartment building into a 10-bedroom cooperative house on a property zoned TR-V1 (Traditional Residential-Varied 1). The proposed changes are to the building's exterior and no exterior building changes are proposed as part of this request.

Applicable Regulations & Standards: The Zoning Code defines "Housing Cooperative" as a residential occupancy where one-hundred (100%) of the ownership is held by a Cooperative Corporation organized under Wisconsin Statute Chapter 185, for the purpose of residential living where the residents share common areas and cooking, dining and maintenance duties. All residents shall be members of the Cooperative Corporations.

Housing Cooperatives are identified as either a permitted or a conditional use in the TR-V1 (Traditional Residential-Varied 1) Zoning District. Subsection (d) of the supplemental regulations for Housing Cooperative states, *"In the TR-V1, District, Housing Cooperatives may locate in any single-family dwelling or convert a building with more than one (1) dwelling unit if the occupancy equals the number of legal bedrooms prior to a change in use to a Housing Cooperative. Occupancy greater than the legal number of bedrooms prior to a change in use requires conditional use approval."* This proposal increases the occupancy from eight to ten bedrooms. As such, this proposal is subject to the standards for Conditional Uses [Section 28.183(6) Madison General Ordinances (MGO)] and the Housing Cooperative Supplemental Regulations of [Section 28.151 MGO].

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the conditional use to convert a 4-unit apartment building into a 10-bedroom housing cooperative on a property zoned TR-V1 (Traditional Residential-Varied 1) at 5318 Hoboken Avenue. This request is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

Background Information

Parcel Location: The parcel is an approximately 9,059 square foot parcel located at the northeast corner of Hoboken Road and Lake Point Drive. This parcel is located within Aldermanic District 14 (Ald. Carter), is in Tax Increment Financing District #27, and is within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The site includes an existing two-story, 4-unit (8-bedroom) apartment building, originally built in 1958.

Surrounding Land Use and Zoning:

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

South: Bridge Lakepoint Waunona Neighborhood Center, zoned TR-U1 (Traditional Residential Urban 1);

East: Multi-family residential buildings, (eight units or less) zoned TR-V1; and

West: Single-family residences and small multi-family units, (eight units or less) zoned TR-C1 and TR-V1.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends high density residential development for the subject site and surrounding properties.

Zoning Summary: The property is zoned TR-V1 (Traditional Residential-Varied 1 District).

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000 sq. ft.	9,156 sq. ft.
Lot Width	50'	71.3'
Front Yard Setback	20'	Existing building
Max. Front Yard Setback	30 ft. or up to 20% greater than block average	Existing building
Side Yard Setback	Two-story or more: 6'	Existing building
Rear Yard Setback	Lesser of 25% lot depth or 25	Existing building
Usable Open Space	500 sq. ft. per d. u.	2,620 sq. ft.
Maximum Lot Coverage	70%	47%
Maximum Building Height	3 stories/ 40'	2 stories
Number Parking Stalls	Same as dwelling type prior to conversion to co-op: 1 per dwelling (4)	4
Accessible Stalls	Yes	No (See Comment #5)
Number Bike Parking Stalls	1 per bedroom (10) 1 guest space per 4 bedrooms units (2)	Yes (See Comment #6)
Landscaping and Screening	No	No (See Comment #7)
Lighting	Yes	No (See Comment #8)
Building Forms	No	Existing Building
Other Critical Zoning Items	Barrier Free (ILHR 69), Utility Easements	

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, including 7 day-a-week Metro service along East Broadway Avenue.

Project Description, Analysis, and Conclusion

The applicant requests conditional use approval to convert a four (4)-unit apartment building into a housing cooperative. As this proposal would establish a capacity greater than the current number of legal bedrooms, conditional use review is required. This request is subject to the conditional use standards and the Zoning Code's Housing Cooperative Supplemental Regulations. The latter are attached to this report.

The existing building is a four-unit apartment building with eight (8) total bedrooms. The structure was constructed in 1958. The applicant proposes to convert this building into a 10-bedroom housing cooperative. No exterior changes are proposed. The proposed interior plans show reconfigured bedrooms and the creation of a shared kitchen, dining room, and two living room areas. No changes are proposed to the site plan.

At the time of report writing, staff has received two emails in support of this proposal. These are provided in the Plan Commission packet. Staff had also received one phone call regarding concerns on the increase of occupancy and impacts on street parking, though at the time of report writing, no further information had been provided to the Planning Division. Staff notes that the Zoning Code requires a minimum of four parking stalls, which are being maintained with this proposal.

The Planning Division believes that the conditional use standards can be met and does not anticipate converting the apartment into a 10-bedroom housing cooperative will result in negative impacts on surrounding properties.

Recommendation

Planning Division Recommendation (Contact Kevin Firchow, 608-267-1150)

The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the conditional use to convert a 4-unit apartment building into a 10-bedroom housing cooperative on a property zoned TR-V1 (Traditional Residential-Varied 1) at 5318 Hoboken Avenue. This request is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

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

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

The agency reviewed this request and has recommended no conditions or approval.

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

1. Co-op / Rooming houses are assigned addresses per bedroom.

Submit a PDF of all floor plans to zenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

Traffic Engineering Division (Contact Eric Halvorson, 608-266-6527)

2. MGO 10.08 restricts any lot of five or more stalls from requiring vehicle to back onto or off of the site to access the parking facility.
3. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
4. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Zoning Administrator (Contact Jenny Kirchgatter 608-266-4429)

5. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required van accessible stall. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the required signage at the head of the stall.
6. Bicycle parking shall comply with City of Madison General Ordinances Sections 28.141(4)(g) Table 28I-3 and 28.141.11 and shall be designated as short-term or long-term bicycle parking. A minimum of ten (10) resident bicycle stalls are required plus a minimum of two (2) short-term guest stalls. At least ninety percent (90%) of required resident bicycle parking (9 stalls) shall be designed as long-term parking. Required long-term bicycle parking spaces shall be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck, patio areas, or private storage areas accessory to dwelling units. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.
7. Submit a detail of the trash enclosure. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
8. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.

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

9. Ensure multi-station hardwired smoke alarms are installed throughout in accordance with IFC 907.2.11.

Water Utility (Contact Dennis Cawley, 608-261-9243)

10. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

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

11. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff of the rezoning request. This development is within the Olin Turville impact fee district. Please reference ID# 16109 when contacting Parks about this project.

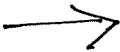
Metro Transit (Contact Tim Sobota, 608-261-4289)

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| <ol style="list-style-type: none">12. The applicant shall maintain or replace the existing concrete boarding pad on the north side of Lake Point Drive, east of Hoboken Road.13. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design. |
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14. Metro Transit operates weekday transit service, during peak hours, along Lake Point Drive through the Hoboken Road intersection adjacent the project site. Bus stop ID #3216 is adjacent the proposed project site, with the signed bus stop zone encompassing the area from intersection east approximately 150 feet.
 15. The applicant might consider coordinating with City Engineering in order to install public sidewalk from the existing curb ramp on Lake Point Drive at Hoboken Road (near bus stop boarding pad), north along Hoboken Road through at least the building entrance walkway (itself possibly being shown for reconstruction/with elimination of the existing steps connecting to the existing curb and street pavement?)

SUPPLEMENTAL REGULATIONS
FOR HOUSING COOPERATIVES
(SECTION 28.151, ZONING CODE)

ZONING CODE

Sec. 28.151



Housing Cooperative.

- (a) In the SR-C3 District, buildings with more than one (1) dwelling unit may be converted for use as a Housing Cooperative if the occupancy is the lesser of the number of legal bedrooms prior to conversion or the legal occupancy allowed at the time of conversion, except that any occupancy greater than fourteen (14) requires conditional use approval.
- (b) In the SR-V1, SR-V2, NMX, TSS, and CC-T Districts, buildings with more than one (1) dwelling unit may be converted for use as a Housing Cooperative if the occupancy is the lesser of the number of legal bedrooms prior to conversion or the legal occupancy allowed at the time of conversion, except that any occupancy greater than twenty (20) requires conditional use approval. (Am. by ORD-14-00085, 5-7-14)
- (c) In the TR-V1, TR-V2, NMX, TSS, and CC-T Districts, a Housing Cooperative may locate in a single-family dwelling with conditional use approval.
- (d) In the TR-V1, TR-V2, TR-U1, TR-U2, DC, UOR, UMX, DR1 and DR2 Districts, Housing Cooperatives may locate in any single-family dwelling or convert a building with more than one (1) dwelling unit if the occupancy equals the number of legal bedrooms prior to a change in use to a Housing Cooperative. Occupancy greater than the legal number of bedrooms prior to a change in use requires conditional use approval. (Am. by ORD-14-00085, 5-7-14)
- (e) In the TR-C4 District, housing cooperatives are allowed only in the area bounded by South Ingersoll Street on the West, Lake Monona on the South, Thornton Avenue on the East and the mid-block line between Jenifer Street and Williamson Street on the North. Buildings with more than one (1) dwelling unit may be converted for use as a housing cooperative if the occupancy is the lesser of the number of legal bedrooms prior to conversion or the legal occupancy allowed at the time of conversion, except that any occupancy greater than fourteen (14) requires conditional use approval. Housing cooperatives may locate in single-family homes with conditional use approval and they shall meet the above occupancy limits.
- (f) When Housing Cooperatives are established within single-family dwellings, the single-family appearance and function of the building shall not be altered through the addition of entrances or kitchens.
- (g) When two-family, three-family and multi-family buildings are converted into Housing Cooperatives, the entire building must remain a Housing Cooperative while any portion of it is so occupied.

Indoor Recreation. In the NMX and TSS Districts, the facility shall be located at least fifty (50) feet from the boundary of any residential use or district.

Junkyard. This use is retroactive to January 1, 1994.

Keeping of Chickens.

- (a) Keeping of up to four (4) chickens is allowed as an accessory use on lots with up to four (4) dwelling units.
- (b) Keeping of up to six (6) chickens is allowed as an accessory use to a museum or school in the DC district.
- (c) Keeping of roosters is prohibited.
- (d) Slaughter of chickens is prohibited on site.
- (e) The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
- (f) The enclosure shall be located at least twenty-five (25) feet from any residential structure on an adjacent lot.
- (g) The owner, operator or tenant must obtain a license under Sec. 9.52, MGO.
- (h) The applicant for the license must notify all residents of the property and the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a license.