



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 946 Spaight Street (6<sup>th</sup> Aldermanic District, Alder Rummel)  
**Application Type:** Conditional Use  
**Legistar File ID #:** [38019](#)  
**Prepared By:** Heather Stouder, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant/Contact:** Henry Doane and Jackie Suska; 946 Spaight Street, Madison, WI 53703

**Property Owner:** Alger Doane and Martha Blalock; 1717 Hoyt Street, Madison, WI 53726

**Requested Action:** Approval of a conditional use for an accessory dwelling unit in the Traditional Residential – Varied 1 (TR-V1) District.

**Proposal Summary:** The applicant proposes to utilize an existing accessory building as an accessory dwelling unit.

**Applicable Regulations & Standards:** This proposal is subject to the standards for conditional uses (MGO Section 28.183(6)).

**Review Required By:** Plan Commission (PC)

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the request at 946 Spaight 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 subject property is located on the north side of Spaight Street between Paterson Street and Breatly Street; Aldermanic District 6 (Rummel); Third Lake Ridge Local Historic District.

**Existing Conditions and Land Use:** The 8,712 square foot property is developed with a 2,667 square foot single-family home constructed in 1854, a Local Landmark building. A 641 square foot accessory building approved by the Landmarks Commission was constructed in 1995, and has an attached carport. The accessory building is fully finished as an accessory dwelling unit.

**Surrounding Land Use and Zoning:** The property is surrounded by two- and three-family homes in the TR-V1 District.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends low density residential uses in this area.

**Zoning Summary:** This property is in the Traditional Residential – Varied 1 (TR-V1) District.

**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 proposal involves no changes to the site at this time, but the applicant requests conditional use approval for an existing accessory dwelling unit on the property. Staff understands that the applicant has recently utilized the space as a tourist rooming house, but that under current ordinance, the use of an accessory building for this purpose is not allowable. The applicant has discussed with Zoning staff the framework for accessory dwelling units. As per Zoning conditions of approval, the use of the space will need to meet all supplemental requirements for accessory dwelling units in Section 28.151 of the ordinances.

Staff believes that the proposal can meet the conditional use standards as summarized below:

1. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*

Staff believes that this standard can be met.

2. *The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.*

Staff believes that this standard can be met.

3. *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*

Staff believes that this standard can be met.

4. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

Staff believes that this standard can be met.

5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided.*

Staff believes that this standard can be met, so long as all conditions of approval are addressed.

6. *Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.*

Staff believes that this standard can be met.

7. *The conditional use conforms to all applicable regulations of the district in which it is located.*

Staff believes that this standard can be met, so long as all conditions of approval are addressed.

[Standards 8-15 do not apply to this request]

The accessory building itself has been established for the past 20 years in this location, and staff foresees no issues or negative impacts on surrounding properties with its continued location and use as an accessory dwelling unit.

## Recommendation

### **Planning Division Recommendation** (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the request for a new accessory dwelling unit at 946 Spaight 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

### **Zoning Administrator** (Contact Matt Tucker, 266-4569)

1. Proposed accessory building shall meet all building codes as well as accessory dwelling unit complying with supplemental regulations of 28.151 MGO.
2. The number of occupants of the accessory dwelling unit shall not exceed one (1) family or two (2) unrelated individuals.

### **City Engineering Division** (Contact Janet Schmidt, 261-9688)

3. ADU is assigned an address of 948 Spaight Street.
4. Applicant shall show on the plan how accessory building is provided sanitary sewer and water service and show if the laterals are shared with the main dwelling or if separate laterals are provided for the accessory building.
5. Provide an overall site plan that shows an overall layout of the lot.
6. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)).  
  
PDF submittals shall contain the following information:
  - a) Building footprints
  - b) Internal walkway areas
  - c) Internal site parking areas
  - d) Lot lines and right-of-way lines
  - e) Street names
  - f) Stormwater Management Facilities
  - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)

### **Parks Division** (Contact Kay Rutledge, 266-4714)

7. 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 on the conditional use. This development is within the Tenney-Law-James Madison park impact fee district (S126). Please reference ID# 15126 when contacting Parks about this project.

8. Approval of plans for this for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

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

9. Uses other than a single family unit or other Wis Uniform Dwelling Code uses may require the installation of a fire sprinkler system.
10. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.30(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

**Water Utility** (Contact Dennis Cawley, 266-4651)

11. This property is not located in a wellhead protection district.
12. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**No other agencies submitted conditions of approval for this request.**