PLANNING DIVISION STAFF REPORT

October 7, 2024

PREPARED FOR THE PLAN COMMISSION

Project Address: **702 West Olin Avenue** (District 13, Alder Evers)

Legistar File ID #: 84995

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: Melissa Sutter; 702 West Olin Avenue, Madison, WI 53715

Requested Action: Consideration of a conditional use in the Traditional Residential – Consistent 4 (TR-C4) District to exceed the 1,000 square-foot area limit on accessory buildings on a residential parcel.

Proposal Summary: The applicant proposes to construct a two-story, 1,350 square-foot accessory building at 702 West Olin Avenue. The area of the accessory building measured at ground floor is 676 square feet. It consists of a garage with an Accessory Dwelling Unit (ADU). An ADU is a permitted use in the TR-C4 District. There is an existing one-story 520 square-foot garage on the property. The area of the two accessory buildings measured at the ground floor would total 1,196 square feet.

Applicable Regulations & Standards: Standards for conditional uses are found in MGO Section 28.183(6). General Regulations for Accessory Budlings are found in MGO Section 28.131. Supplemental Regulations for Accessory Dwelling Units are found in MGO Section 28.151.

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 exceed the 1,000 square-foot area limit on accessory buildings on a residential parcel at 702 West Olin Avenue. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 7,800 square-foot (0.17-acre) parcel is located at the northwest corner of West Olin Avenue and Whittier Street. It is located within Alder District 13 (Alder Evers) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject parcel is occupied by a two-story, two-unit residential building constructed in 1904 and a one-story detached garage. The site is zoned Traditional Residential – Consistent 4 (TR-C4) District and is located in the Transit Oriented Development (TOD) Overlay District.

Surrounding Land Use and Zoning:
North: Single family to 3-unit residential buildings, zoned Traditional Residential – Consistent 2 (TR-C2) District;

East: Single family to 4-unit residential buildings, zoned TR-C2 District and Traditional Residential-Consistent 4 (TR-C4) District; two-story, multifamily building, zoned Suburban Residential – Varied 2 (SR-V2) District;

South: Single family to 5-unit residential buildings, zoned TR-C2 District and TR-C4 District;

West: Single family to 4-unit residential buildings, zoned TR-C2 District and TR-C4 District; and commercial buildings on South Park Street, zoned Commercial Corridor – Transitional (CC-T) District and Traditional Shopping Street (TSS District.

Adopted Land Use Plan: The Comprehensive Plan (2023) recommends Low Residential (LR) development for the subject property and adjacent properties. The Bay Creek Neighborhood Plan (1991) and South Madison Neighborhood Plan (2005) recommend Residential Low-Medium Density Single-Unit (RLM-S) for the subject property and adjacent properties.

Zoning Summary: The property is zoned Traditional Residential – Consistent 4 (TR-C4) District and is located in the Transit Oriented Development (TOD) Overlay District.

Requirements	Required: Two-family Two unit	Proposed
Lot Area (sq. ft.)	4,000 sq. ft.	7,800 sq. ft.
Lot Width	40’	50.0’
Front Yard Setback	20’	Adequate
Max. Front Yard Setback	30’ or up to 20% greater than block average	Adequate
Side Yard Setback: Accessory building	3’	4’
Reverse Corner Side Yard Setback: Accessory building	No closer than the front yard setback of the adjacent property: 20’	20’
Rear Yard Setback: Accessory building	3’	10’
Usable Open Space: TOD	Not required	Adequate
Maximum Lot Coverage	65%	<65%
Maximum Building Height: ADU	25’	24’6” See comment #2

Site Design	Required	Proposed
Number Parking Stalls: TOD	No minimum required	Detached garage
Number Bike Parking Stalls	Accessory dwelling unit: None	Detached garage
Building Form and Design: Accessory building	Not required	Accessory 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 is requesting approval to exceed the 1,000 square-foot area limit on accessory buildings on a residential parcel. The total area of accessory buildings is measured at the ground floor. The area of the proposed accessory building measured at ground floor is 676 square feet. The area of the two accessory buildings measured at ground floor would total 1,196 square feet.

The site is occupied by a two-story, two-unit residential building that fronts West Olin Avenue. A 520 square-foot, two car garage is located approximately 10 feet behind the two-unit building and is setback 20 feet from Whittier

Street. There are two driveway entrances along Whittier Street. A u-shaped driveway provides access to the garage. Both buildings are covered in a tan, horizontal siding.

The second accessory building would be two stories and 1,350 square feet. It would consist of a two car garage with an Accessory Dwelling Unit (ADU). An ADU is a permitted use in the TR-C4 District. The proposed accessory building is located approximately 12 feet from the existing garage. It is setback 20 feet from Whittier street, 10 feet from the northern property line and 4 feet from the western property line. The building would be covered in grey, vertical siding. In speaking with the applicant, they indicated they intend to use the building materials as shown on the plans. However, they requested flexibility in the final building material selection as the materials have not been ordered yet.

Supplemental Regulations

Per MGO Section 28.151, Accessory Dwelling Units are subject to the following Supplemental Regulations:

a) The principal dwelling shall not contain more than eight (8) dwelling units.
b) No more than one (1) accessory dwelling unit may be located on a lot.
c) The number of occupants of the accessory dwelling unit shall not exceed one (1) family.
d) The accessory dwelling unit shall not be sold separately from the principal dwelling.
e) The maximum height of a detached building containing an accessory dwelling unit, including one built above a garage or similar space, shall be twenty-five (25) feet. Height shall be measured as a principal building pursuant to Sec. 28.134(1)(b).
f) The maximum size of an accessory dwelling unit shall be nine hundred (900) square feet.
g) An accessory dwelling unit shall contain no more than two (2) bedrooms.
h) The minimum setback requirements shall be those for accessory building or structures of the underlying zoning district.
i) Accessory dwelling unit entry ways within a rear or side yard shall be connected to a street frontage by a paved walkway or driveway.
j) For accessory dwelling units constructed within the principal building, the appearance or character of the principal building shall not be significantly altered so that its appearance is no longer that of a single-family dwelling.

Staff believe the Supplemental Regulations are met.

Conformance with Adopted Plan

The Comprehensive Plan (2023) recommends Low Residential (LR) development for the subject property and adjacent properties. The Bay Creek Neighborhood Plan (1991) and South Madison Neighborhood Plan (2005) recommend Residential Low-Medium Density Single-Unit (RLM-S) for the subject property and adjacent properties.

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 Low Residential (LR) development for the subject property and adjacent properties. LR areas are predominantly made up of single-family and two-unit structures. Some LR areas, particularly in older neighborhoods, may include "house like" structures that were built as or have been converted to multi-unit dwellings. Though not a replacement for a diversity of other residential building forms, accessory dwelling units (ADUs) are an additional method of creating housing diversity within LR areas. Staff believe the proposed development is generally consistent with the recommended land uses subject to meeting the supplemental regulations and recommended conditions of approval.

Regarding approval standard 6, "The conditional use conforms to all applicable regulations of the district in which it is located." Per the Zoning Ordinance, two driveways may be constructed within the street side yard setback provided that both driveways lead to the same garage or to the same paved or graveled parking area. The site plan shows a connection from the existing driveway to the proposed accessory building. The driveway configuration will need to be revised to comply with the Zoning Ordinance, per the recommended conditions of approval.

Regarding approval standard 8, "When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district." The building would be covered in grey, vertical siding. As noted above, the applicant indicated they intend to use the building materials as shown on the plans. However, they requested flexibility in the final building material selection as the materials have not been ordered yet. The Planning Division recommends the following condition of approval, "The final building materials may be approved administratively by the Planning Division Director (or designee)."

Staff believe the conditional use approval standards can be found met, subject to the recommended conditions of approval.

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 exceed the 1,000 square-foot area limit on accessory buildings on a residential parcel at 702 West Olin 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

Planning Division (Contact Lisa McNabola, 608-243-0554)

1. The final building materials may be approved administratively by the Planning Division Director (or designee).

Engineering Division (Contact Tim Troester, 267-1995)

2. Applicant shall provide plan for sewer lateral. Lateral for ADU can either be a separate lateral or a shared lateral with primary building. If the intent is to share the lateral with the primary building, applicant shall add note to the plan that intent is to share lateral with primary building.

3. Applicant shall provide more information on drainage. Discharge from the new building shall be directed to the road Right of Way - no discharge is allowed to adjacent private property.

4. If Drive Apron is disturbed/restored/changed, Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.) This permit application is available and must be completed on line at http://www.cityofmadison.com/engineering/permits.cfm (MGO 10.08)

5. Revise plan set to show more information on proposed drainage for the site. Use either spot elevations and drainage arrows or proposed contours to show the required drainage information. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)

Zoning (Contact Jenny Kirchgatter, 266-4429)

6. Eliminate the driveway extension to the proposed detached garage and accessory dwelling unit. Two driveways may be constructed within the street side yard setback provided that both driveways lead to the same garage or to the same paved or graveled parking area. The previously approved driveway configuration may be maintained.

7. Show the height of the proposed building on the elevations. The maximum height is 25 feet. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district. Height shall be measured from the natural grade prior to redevelopment.

8. Provide building elevations for all four sides of the building.

Fire Department (Contact Matt Hamilton, 266-4457)

9. 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

Water Utility (Contact Jeff Belshaw, 261-9835)

10. The proposed development shall be connected to the existing water supply system downstream of the existing water meter, otherwise connected with a new lateral off the public water system. If extending existing water supply plumbing, provide Madison Water Utility with the total water supply fixture Unit count for both the existing structure and proposed development to determine if the existing water

meter can accommodate total water supply requirements. Update plan to indicate which option will be used to supply the proposed development with water service. Contact Jeff Belshaw at Jbelshaw@madisonwater.org or 608-261-9835 for verification, otherwise a Water Service Application and a Water Meter Application will be required for a new lateral connection.

Provide Madison Water Utility with the increased water supply fixture Unit count or flow rate requirements for the proposed development to determine if the existing water meter can accommodate total water supply requirements.

Engineering Mapping (Contact Jeff Quamme, 266-4097)

11. Identify on the plans the lot and block numbers of recorded Plat of South Madison.

12. Provide the location of the proposed water and sewer service laterals to serve the ADU on the site plan.

13. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.

14. A boundary survey by a Professional Land Surveyor is recommended to assure proper location of the proposed structure.

15. The address of the ADU is 1104 Whittier St.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.

16. Submit, prior to plan sign-off, a single digital CADD file to the Public Works Development Manager (Tim Troester ttroester@cityofmadison.com for West or Brenda Stanley bstanley@cityofmadison.com for East). The digital CADD file shall be to scale and represent final construction. It shall be on the WISCRS Dane County Projection as set forth in the website link below. The single CADD file submittal shall be either AutoCAD (dwg) or Universal (dxf) format and shall contain the required data per the City of Madison CADD Site Plan Approval Submittal instructions available at: https://www.cityofmadison.com/engineering/developers-contractors/developers/digital-file-submittals

The following agencies reviewed the request and recommended no conditions of approval: Traffic Engineering, Parks Division, Assessor’s Office, Forestry, Metro Transit, and Parking Utility.