



PREPARED FOR THE PLAN COMMISSION

Project Address: 4310 Mohawk Drive (10th Aldermanic District – Ald. Cheeks)
Application Type: Conditional Use
Legistar File ID # [44834](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant, Contact, and Property Owner: Jared Marx and Michael Maldonado; 4310 Mohawk Drive; Madison, WI 53711

Requested Action: The applicants request approval of a conditional use to convert a two-family, two-unit dwelling into a three-family, three-unit dwelling at 4310 Mohawk Drive.

Proposal Summary: The applicants propose to convert an existing two-family, two-unit dwelling, into a three-unit, three-family dwelling. One of the units is currently being utilized as a rental unit. While this number will double with this proposal, the dwelling however will remain owner-occupied. The applicants also propose to construct a detached three-car garage to the north of the proposed dwelling (this is a permitted use).

Applicable Regulations & Standards: Three-family, three-unit dwellings are permitted in the SR-V1 (Suburban Residential – Varied 1) District. However, §28.039(2)(a) requires that no two-family twin dwelling, three-unit, or multi-family dwelling shall be constructed within three hundred (300) feet of any other two-family twin dwelling, three-unit dwelling or multi-family dwelling(s), as measured from the perimeter of each zoning lot, except by conditional use. This proposal is subject to the standards for Conditional Uses [MGO §28.183].

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards met and **approve** the request to convert a two-family, two-unit dwelling into a three-family, three-unit dwelling at **4310 Mohawk Drive**. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 9,968-square-foot (0.22-acre) subject property is located on the north side of Mohawk Drive, just west of the intersection with Whenona Drive. The site is within Aldermanic District 10 (Ald. Cheeks) and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes an existing two-story, six-bedroom, two-bath, 2,380-square-foot two-unit dwelling. According to City Assessor records, the residence was constructed in 1950. A concrete pad from a former garage sits near the rear of the property. It is zoned SR-V1 (Suburban Residential – Varied 1) District.

Surrounding Land Use and Zoning:

North: To the northeast is a skilled nursing facility currently under review by the Plan Commission and proposed to be demolished in order to construct a construct skilled nursing and assisted living facility, zoned SR-V1 (Suburban Residential – Varied 1) District. To the northeast are single-family residences, zoned TR-C1 (Traditional Residential-Consistent 1) District;

South: Across Mohawk Drive are single-family residences, zoned TR-C1;

East: Single-family residences, zoned TR-C1; and

West: Single-family and multi-family residences, zoned SR-V1 (Suburban Residential – Varied 1) District.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends Low-Density Residential Uses (i.e. 0-15 dwelling units per acre) for the subject site and neighboring parcels to the north, east and south and Medium-Density Residential (i.e. 16-40 dwelling units per acre) for the parcels to the west. There is no neighborhood plan covering the subject parcel.

Zoning Summary: The property is in the Suburban Residential – Varied 1 (SR-V1) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000 sq. ft.	9,968 sq. ft.
Lot Width	60'	80'
Front Yard Setback	25'	Existing front yard setback
Side Yard Setback	6'/ 15' total	6' West; 12' East; 18' Total
Rear Yard Setback	Lesser of 25% lot depth or 30'	Adequate
Usable Open Space	500 sq. ft. per d. u.	More than 1,500 sq. ft.
Maximum Lot Coverage	60%	Less than 60%
Maximum Building Height	3 stories/ 40'	2 stories existing building
Number Parking Stalls	Three-family dwelling: 1 per d. u. (location only) (3)	3 stall detached garage
Accessible Stalls	No	No
Loading	No	No
Number Bike Parking Stalls	Three-family dwelling: 1 per d. u. (3)	3 garage bicycle storage hooks
Landscaping	Yes	No (See Comments #10 & #11)
Lighting	No	Existing building lighting
Building Forms	No	Existing building
Other Critical Zoning Items	Barrier Free (ILHR 69); Utility Easements; Wellhead Protection District #10	

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, including nearby all-day weekday Metro Transit service at the intersection of Mohawk Drive and Whenona Drive and weekend service 0.2 miles away at the intersection of S. Midvale Boulevard and Nakoma Road.

Project Description, Analysis, and Conclusion

The applicants request conditional use approval to convert a two-family, two-unit dwelling into a three-family, three-unit dwelling. This request is subject to the conditional use approval standards because MGO §28.039(2)(a), pertaining to the dispersion of dwellings in the SR-V1 (Suburban Residential – Varied 1) District, states that three-unit dwellings must be located greater than three hundred (300) feet of any other two-family twin dwelling, three-unit dwelling or multi-family dwelling(s), as measured from the perimeter of each zoning lot unless approved as a conditional use. There is a four-unit apartment building immediately to the west of the subject property.

The subject site includes an existing two-story, six-bedroom, two-bath, 2,380-square-foot two-unit dwelling. According to City Assessor records, it was constructed in 1950.

The applicants propose to convert the existing two-family, two-unit dwelling into a three-family, three-unit dwelling by converting the finished basement into a third unit. This will be done by adding partition walls. (Note: no changes are proposed to the first and second floor units). The basement unit will be accessed via a stairwell located along at the east end of the building. The stairwell will lead to a common hallway which will also provide access to the building's washer and dryer, storage, and furnace rooms. The roughly 750-square-foot basement unit will consist of a kitchen, living room, bedroom, and bath room. An egress window (and light well) along the bedroom's western façade as well as a new sprinkler system for the entire basement unit will be added in case of a fire. Besides than the egress window, no other exterior changes will be made to the building.

The applicants have stated that they plan to live in the second-floor unit while renting out the lower two.

The applicants are also proposing to add a three-car, 792-square-foot garage at the rear of the parcel in the general area of the existing garage slab which will be removed prior to construction. It will be accessed via an extension of the existing driveway. Elevation drawings show the garage will be clad in a horizontal vinyl siding with architectural roofing shingles. Bicycle parking will be provided via hooks located within each unit's garage space. Lastly, a trash enclosure along the western façade of the garage will be added.

The Planning Division believes the conditional use standards can be found met. Staff does not anticipate that the addition of the additional dwelling unit in the existing two-family, two-unit dwelling will result in negative impacts on surrounding properties or tenant spaces based on the facility's relatively small size, its accommodation of required parking on site, the provision of adequate egress and an automatic fire suppression system in the basement unit, and the other proposed conditions of approval. At the time of report writing, staff was not aware of any concerns regarding this proposal.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the conditional use standards met and **approve** the request to convert a two-family, two-unit dwelling into a three-family, three-unit dwelling at **4310 Mohawk Drive**. This recommendation is 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

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

1. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
2. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
3. All damage to the pavement on Mohawk Dr, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

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

4. The address of the basement apartment is 4310 Mohawk Dr Apt 3.
5. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
6. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
7. The dimensions of the lot boundary shall be corrected as they do not match those on the plat of the First Addition to Crawford Heights.
8. The Applicant shall submit a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Mapping Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street namesAll other levels (contours, setbacks, elevations, etc) are not to be included with this file submittal.

If no CAD is available, then a PDF showing all of the impervious areas with all surface dimensions labeled will suffice.

NOTE: Email file transmissions to lzenchenko@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

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

9. The final site plan shall be drawn to scale and show accurate lot and building dimensions and setback measurements. Include all existing building and site features that will remain such as porches, balconies and patios, as well as proposed site changes.
10. Submit a landscape plan and landscape worksheet with the final plan submittal. Existing trees, shrubs, and landscaping located on the private property may contribute to the required landscape points calculation.
11. 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.
12. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

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

13. MFD does not object to the proposal to convert the building to a (3) unit apartment with the installation of the fire sprinkler system.

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

14. NOTE: There are no additional Park Impact fees due to increase the existing duplex unit to a 3 Multi-family dwelling.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

15. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
16. The applicant's utility contractor shall obtain an excavation permit prior to commencing the water main or service construction in the public right-of-way. This permit application is available on the City Engineering Division website (<http://www.cityofmadison.com/engineering/permits.cfm>).