

PLANNING DIVISION STAFF REPORT

March 25, 2019



PREPARED FOR THE PLAN COMMISSION

Project Address: 2946 Stevens Street (5th Aldermanic District, Ald. Bidar-Sielaff)
Application Type: Conditional Use
Legistar File ID #: [54672](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: Gunnar Anderson; 2942 Stevens St; Madison, WI 53705

Requested Action: The applicant is requesting approval of a Conditional Use for an accessory dwelling unit (ADU) per MGO §28.043(1) at 2946 Stevens Street.

Proposal Summary: The applicant proposes to build a one-story accessory building as an Accessory Dwelling Unit behind a new house on the subject property at 2946 Stevens Street.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses [MGO §28.183(6)]. 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 request to construct an accessory dwelling unit at 2946 Stevens 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 4,254-square-foot (0.1-acre) property is located on the north side of Stevens Street, immediately east of and adjacent to Quarry Park. It is located within Aldermanic District 5 (Ald. Bidar-Sielaff) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The property is zoned Traditional Residential – Consistent 2 (TR-C2) District and is currently vacant. Permits for a two-story, approximately 1,300-square foot single-family house have been issued for the property.

Surrounding Land Use and Zoning:

North: Single-family residence, zoned Traditional Residential – Consistent 2 (TR-C2) District;
East: Single-family residences, zoned TR-C2;
South: Across Stevens Street, single-family residences, zoned TR-C2; and
West: Quarry Park, zoned Conservancy (CN) District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel. The [Hoyt Park Area Neighborhood Plan](#) (2014) recommends “Low Density Residential” for this parcel.

Zoning Summary: The property is in the Traditional Residential – Consistent 2 (TR-C2) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,000	4,254
Lot Width	40 ft	40.61 ft
Front Yard Setback	20 ft	67 ft
Side Yard Setback	3 ft	4 ft, 16.6 ft
Rear Yard Setback	3 ft	16 ft
Usable Open Space	750 sq ft	750+ sq ft
Maximum Lot Coverage	65%	46%
Maximum Building Height	25 ft	15.2 ft

Other Critical Zoning Items	Adjacent to Park
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Table Prepared by Jacob Moskowitz, 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 build a one-story accessory dwelling unit (ADU). The property, currently vacant, is proposed for a new single-family residence. The site plan for the new two-story, approximately 1300-square foot house, a permitted use, was approved on October 10, 2018, and a building permit for house was issued on November 2, 2018. According to the applicant’s letter of intent, the applicant is building the new house and ADU in order to create a long-term living arrangement for his daughter and himself. The applicant currently lives next door at 2942 Stevens Street, but will move to the primary residence at 2946 Stevens Street. The proposed ADU is a 420-square foot single-story studio. The front-gabled building has windows on all sides and has a door on the front. A sidewalk connects the door to the house’s rear patio, which itself is connected to the street via a driveway. The plans appear to show the ADU to be clad with LP Smartside siding and architectural shingles on the roof; colors have not been provided. The primary residence has a very similar appearance. While two stories, and with a steeper roof, the house has the same siding, shingles, windows, and overall design elements.

Because of site constraints regarding access to the rear yard for ADU construction, a permitted accessory building has been approved as a part of the new single-family home approval. The accessory building will be constructed as a shell, and finished as an ADU, if this conditional use request is approved. If the conditional use request is not approved, the applicant has indicated he plans to use the accessory building as a garage, which is a permitted use.

Analysis and Conclusion

This request for approval of a conditional use to allow the construction of an accessory dwelling unit is subject to the Conditional Use standards as well as the Supplemental Regulations for accessory dwelling units. This analysis begins with a summary of adopted plan recommendations, and then analyzes conditional use approval standards and supplemental regulations for ADUs.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Low Residential uses for the subject parcel. Low Residential areas typically include a mix of single-family and two-unit structures. The [Hoyt Park Area Neighborhood Plan](#) (2014) recommends “Low Density Residential” for this parcel. The Neighborhood Plan defines Low Density Residential as single-family, two-unit houses, and rowhouses up to eight dwelling units per acre, and specifically notes that ADUs may be accommodated in the planning area in the land use policies. The plan also recommends detached accessory buildings be located behind the front façade of the primary residence.

Conditional Use 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. The proposed accessory dwelling unit in an accessory building on a vacant site is within a neighborhood with similar dwelling types and sizes and similarly-scaled and located accessory buildings. As such, Staff believes that the establishment of an ADU in this location can be found to meet the Conditional Use approval standards.

Supplemental Regulations for Accessory Dwelling Units

Accessory dwelling units are also subject to the Supplemental Regulations of MGO Section 28.151. These include regulatory standards and suggested guidelines. A copy of these supplemental regulations is attached. 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. The applicant has stated that the house will be occupied by himself and the ADU by his daughter, and that this construction and living arrangement is intended to allow him to stay on the property for the long-term upon his retirement and as he ages. As such, the principal dwelling will be owner-occupied, as required by the supplemental regulations. Zoning Staff recommends a restrictive covenant requiring owner-occupancy of one of the structures on the subject parcel. The Planning Division believes that all other required standards for ADUs can be found met.

Conclusion

The Planning Division believes that the conditional use standards can be found met. As described above, staff believes that the proposed accessory dwelling unit is generally consistent with the [Comprehensive Plan](#) and the [Hoyt Park Area Neighborhood Plan](#). Further, staff believes the proposal can be compliant with the Zoning Code’s supplemental regulations for Accessory Dwelling Units. Staff does not anticipate that the proposed ADU will result in negative impacts on the surrounding properties.

At the time of report writing, staff is unaware of any public comment.

Recommendation

Planning Division Recommendation

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to construct an accessory dwelling unit at 2946 Stevens 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
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Planning (Contact Colin Punt, (608) 243-0455)

1. Label dimensions, materials, and paint colors on the building elevations.

Zoning (Contact Jacob Moskowitz, (608) 266-4560)

2. The Accessory Dwelling Unit shall comply with the supplemental regulations Section 28.151. Prior to issuance of a building permit for the Accessory Dwelling Unit, the property owner shall execute a restrictive covenant providing that the Accessory Dwelling Unit may only be used when the property is owner-occupied. The form of the restrictive covenant shall be approved by the Zoning Administrator and City Attorney's Office and shall be recorded with the Dane County Register of Deeds.

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

3. The sanitary sewer lateral for the ADU shall either be separate from the home or shared with the main house.

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

4. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
5. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
6. It appears as though a boundary survey has been completed for the lot. If so, the surveyor shall provide to Jeff Quamme (jrquamme@cityofmadison.com) a copy of the signed and sealed survey.
7. The address of the ADU is 2944 Stevens 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.

Parks/Forestry Division (Contact Kate Kane, (608) 261-9671)

8. 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(2) 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# 19017 when contacting Parks about this project.

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

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/building-residential-fire-sprinklers>