



PREPARED FOR THE PLAN COMMISSION

Project Address: 19 N. Hancock Street (2nd Aldermanic District, Alder Heck)

Application Type: Conditional Use

Legistar File ID # [58670](#)

Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant: Taizo Murakami; Madison Community Cooperative; 1202 Williamson Street, Suite 106; Madison, WI 53703

Contact: Gabe Williams; Bouril Design Studio; 6425 Odana Road, #2; Madison, WI 53719

Property Owner: Madison Community Cooperative; 1202 Williamson Street, Suite 106; Madison, WI 53703

Requested Actions: Approval of a conditional use for a housing cooperative in the Downtown Residential 1 (DR1) District at 19 N. Hancock Street.

Proposal Summary: The applicant proposes to convert a three-unit apartment building into a housing cooperative with 11 bedrooms.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.183], as Table 28E-2 in §28.072(1) of the Zoning Code lists *Housing Cooperatives* as either conditional or permitted uses in the Downtown Residential 1 (DR1) District and points to the Supplemental Regulations [MGO §28.151] for further information. Supplemental Regulation (d) for Housing Cooperatives states that in the DR1 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.*

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission **approve** the conditional use for a housing cooperative in the Downtown Residential 1 (DR1) District at 19 N. Hancock Street. This recommendation is subject to input at the public hearing, and the conditions from reviewing agencies beginning on page 6 of this report.

Background Information

Parcel Location: The 3,267-square-foot (0.075-acre) subject site is located on the northeast side of N. Hancock Street, in between E. Mifflin Street and E. Washington Avenue. It is also located within Aldermanic District 2 (Ald. Heck) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is currently developed with a 2½-story, 3,566-square-foot, 3-unit apartment building with nine bedrooms and three bathrooms. The property shares a driveway with the 3-unit development to the northwest, at 23 N. Hancock Street.

Surrounding Land Uses and Zoning:

Northwest: A 13-unit and a 3-unit apartment building, zoned Downtown Residential 1 (DR1) District;

Northeast: A 13-unit apartment building and an 8-room housing cooperative, zoned DR1;

Southwest: Across N. Hancock Street is a 24-unit apartment building, zoned DR1; and

Southeast: A 32-unit apartment building, zoned DR1.

Adopted Land Use Plans: The [Comprehensive Plan](#) recommends Medium Residential (MR) uses for the subject site. The 2012 [Downtown Plan](#) locates the subject parcel within the “James Madison Park” neighborhood for which Objective 4.11 states, “*The James Madison neighborhood should accommodate a mix of dwelling units [...]. The renovation of existing houses coupled with selective redevelopment that generally reflects the scale and rhythm of the existing structures should help reinvigorate the area, provide a variety of housing options (including workforce housing), [...].*”

Environmental Corridor Status: There are no environmental corridors on the subject site.

Public Utilities and Services: The site is served by a full range of urban services. Metro Transit currently operates weekday transit service along E. Washington Avenue. Bus stops with passenger waiting shelters and benches are located to the east of the site at the intersection of E. Washington Avenue and N. Blair Street.

Zoning Summary: The site is zoned into the Downtown Residential 1 (DR1) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	3,267 sq. ft.
Lot Width	1, 2, and 3-unit dwellings: 30’	33’
Front Yard Setback	15’	4.9’
Side Yard Setback	Lot width <40: 10% lot width (3.3’)	5.2’ north side yard 2.4’ south side yard <i>(See Comment #7)</i>
Rear Yard Setback	Lesser of 20% lot depth or 30’ (19.86’)	Adequate
Usable Open Space	40 sq. ft. per bedroom (440 sq. ft.)	Sec. 28.140(1)(c) 5 foot landscaped areas <i>(See Comment #5)</i>
Maximum Lot Coverage	75%	TBD <i>(See Comment #6)</i>
Maximum Building Height	See Downtown Height Map (6 stories)	3 story existing building
Stepback	See Downtown Stepback Map (None)	None

Section 28.140(1)(c): Within the Central Area, as defined, where usable open space requirements cannot be met due to limited existing lot area, or building/parking placement, required landscaped areas may be used to meet the usable open space requirement, provided that said landscaped areas are a minimum of five (5) feet in width.

Site Design	Required	Proposed
Number Parking Stalls	Central Area: No minimum required	2
Accessible Stalls	Yes	1
Loading	Not required	None
Number Bike Parking Stalls	Housing cooperative: 1 per bedroom (11) plus 1 guest space per 4 bedrooms units (3) (14 total)	4 surface 10 enclosed (14 total) <i>(See Comment #9)</i>
Landscaping and Screening	Yes	No <i>(See Comments #5 & #8)</i>
Lighting	Yes	No <i>(See Comment #10)</i>
Building Forms	Not required	Existing building

Other Critical Zoning Items:	Barrier Free (ILHR 69); Utility Easements
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Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Project Description

The applicant is requesting conditional use approval for a housing cooperative in the Downtown Residential 1 (DR1) District at 19 N. Hancock Street. The existing 3-unit apartment building will be converted into an 11-bedroom housing cooperative.

The basement, which currently houses mechanical equipment and laundry space, will now also house ten bicycle racks for the tenants. The first floor currently has three bedrooms, living room, and kitchen. With the proposal, the front bedroom will be repurposed into a living room, and the existing living room converted into a dining room. On the second floor, a central hallway will be added and the living room and kitchen will be converted into two bedrooms. On the third floor, the kitchen will be removed, the bathroom will be relocated across the hall, and replaced with a bedroom. To provide adequate headroom with these third floor changes, two dormers will be added. A gable dormer will be added on the western side of the building to accommodate the bathroom with shower, while a shed dormer with two skylights will be added on the eastern side to accommodate a bedroom. Both will be clad with fiber cement shake siding to match the existing.

The net change in bedrooms in the building will be an increase of two for a total of eleven. (This increase is the trigger for the conditional use requirement.)

To meet Zoning Code building setbacks for the DR1-zoned lot (equal to 10-percent of the lot width, or 3 ft. – 4 in.), the eastern dormer has been setback slightly further than the adjacent, existing, gabled dormer. Per the City’s Building Code, due to the fact that the adjacent building to the east sits right on the shared lot line, there is a required fire separation distance of five feet from the lot line. Since adding a fire-rated window that meets code on the dormer would be very expensive (not to mention the fact that said window would really only provide a view of the adjacent building roughly three feet away), the applicant has decided to instead install two skylights on the shed dormer. The applicant will also be installing sprinklers in the third floor’s new bedroom and bathroom.

Regarding exterior changes to the building, with the partial reconfiguring of the interior spaces, a number of the doors and windows will be removed, relocated, and/or replaced. For example, the right front door, which formerly provided access to the upper units, will be removed. On the western (driveway) elevation, several of the ground floor windows will be removed and filled in in order to provide more wall space for the reconfigured kitchen cabinets.

At the site level, the applicant will reduce the footprint of the lower front porch and install a wheelchair ramp to the front door. (This will also make the first floor ADA compliant). Four bicycle stalls will be added in between the building and driveway, and two automobile parking stalls – one of which will be accessible – will be added at the rear of the site.

In order to satisfy the usable open space requirements, the applicant is proposing (2) five-foot-wide landscaped areas at the rear of the site. While MGO §28.140(1)(c) does allow sites within the Central Area where usable open space requirements cannot be met due to limited existing lot area or building/parking placement to count landscaped areas, provided that said landscaped areas are a minimum of five feet in width, the City's Zoning Administrator has ruled that grass does not satisfy this requirement. The applicant will need swap out the grass for deciduous shrubs, evergreens, etc. and submit a revised landscaping plan to Zoning for review, prior to final sign off.

Analysis and Conclusion

This proposal is subject to the standards for Conditional Uses [MGO §28.183(6)], as Table 28E-2 in §28.072(1) of the Zoning Code lists *Housing Cooperatives* as either conditional or permitted uses in the Downtown Residential 1 (DR1) District and points to the Supplemental Regulations [MGO §28.151] for further information. Supplemental Regulation (d) for Housing Cooperatives states that in the DR1 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.*

Conformance with Adopted Plans

The [Comprehensive Plan](#) recommends Medium Residential (MR) uses for the subject site. The Plan describes this type of development as may including a variety of relatively intense housing types. It also states that they would fall on the “more intense end of the “Missing Middle housing” development spectrum (which is a range of multi-unit or clustered housing types scaled between single-family detached houses and larger apartment buildings.) The Planning Division believes the proposed Housing Cooperative, with its density of roughly 40 dwelling units per acre, would fall under Missing Middle Housing.

A similar recommendation is made by the 2012 [Downtown Plan](#) which locates the subject parcel within the *James Madison Park* neighborhood for which Objective 4.11 states, “*The James Madison neighborhood should accommodate a mix of dwelling units [...]. The renovation of existing houses coupled with selective redevelopment that generally reflects the scale and rhythm of the existing structures should help reinvigorate the area, provide a variety of housing options (including workforce housing), [...].*”

The Planning Division believes the project plans are consistent with both plan recommendations.

Conditional Use Standards

In regards to conditional use approval standards, 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 M.G.O. §28.183(6) are met.

The Planning Division believes that the project meets the standards of approval for Conditional Uses.

Supplemental Regulations for Housing Cooperatives [MGO §28.151]

- 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.

Public Input

At the time of report writing, staff has not received any comments on the proposed request.

Conclusion

The Planning Division believes that the standards for Conditional Uses can be found met with this proposal. Given that fact that the proposal is not only a renovation of an existing building, but makes only minor bulk changes to the building while providing alternative housing options for residents (which falls under the category of “Missing Middle Housing”), and has a rough density of 40 dwelling units per acre, Staff also believe the proposal is consistent with the [Comprehensive Plan](#) and [Downtown Plan](#).

Recommendation

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

The Planning Division recommends that the Plan Commission **approve** the conditional use for a housing cooperative in the Downtown Residential 1 (DR1) District at 19 N. Hancock Street. This recommendation is subject to input at the public hearing, and the conditions from reviewing agencies that follow.

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

Planning Division (Contact Chris Wells, (608) 261-9135)

1. The revised drawings, submitted on January 14, 2020, were not received in time to be reviewed by other City Agencies. As such, approval of these plans shall be subject to additional agency comments related to the proposed changes.

City Engineering Division (Contact Brenda Stanley, 261-9127)

2. Current plan shows less than 4,000 sf disturbed area. If plans are not revised, no Erosion Control or Storm Water Management Permits will be required.

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

3. Bedroom numbering shall follow apartment addressing standards. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in the final application.

For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

4. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

5. The applicant proposes five foot landscaped areas in lieu of the required useable open space. Provide landscaping within the five foot landscaped areas adjacent the parking stalls. Per Section 28.140(1)(c), within the Central Area, as defined, where usable open space requirements cannot be met due to limited existing lot area or building/parking placement, required landscaped areas may be used to meet the usable open space requirement, provided that said landscaped areas are a minimum of five (5) feet in width.
6. Provide calculations and a plan detail for existing and proposed lot coverage with the final submittal. The lot coverage maximum in the DR-1 zoning district is 75%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks. If the existing site currently exceeds 75% maximum lot coverage, proposed site improvements may not further increase lot coverage above the maximum.
7. On the site plan, show the south side yard setback as measured to the proposed dormer. The minimum side yard setback is 3.3 feet.
8. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it 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. Submit a detail of the trash enclosure if provided outside the building. Note that City issued trash containers are not required to be screened.
9. Provide a detail of the proposed bike rack including any structured or wall mount bike racks.
10. 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.
11. 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.

Fire Department (Contact Bill Sullivan, 261-9658)

12. The proposal is a building code occupancy change of use which will require compliance with IBC 903.2.8. & IBC 903.2.8.1. A fire sprinkler system shall be provided throughout all buildings with a Group R fire area. A system in compliance with NFPA 13D is permitted for Group R-3 Occupancies.

Metro Transit (Contact Tim Sobota, 261-4289)

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

Parks Division (Contact Kathleen Kane, 261-9671)

13. 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 North Park -Infrastructure Impact Fee district. Please reference ID# 19055 when contacting Parks about this project.

City Forestry Section (Brad Hofmann, 267-4908)

14. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester prior to the approval of the site plan.
15. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Water Utility (Contact Jeff Belshaw, 261-9835)

16. The proposed development may require the installation of a fire protection/automatic sprinkler system (see also Madison Fire Department review comments); subsequently, a higher capacity water service lateral may be required to meet required flow rates. If a new water service will be required, contact Madison Water Utility Engineering Section to evaluate service connection options, confirmation of water meter size, or any applicable customer account revisions.