

PLANNING DIVISION STAFF REPORT

October 5, 2020



PREPARED FOR THE PLAN COMMISSION

Project Address: 4222 Yuma Drive (10th Aldermanic District, Ald. Henak)
Application Type: Conditional Use
Legistar File ID #: [61818](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Jonny and Michelle Hoffner; 4222 Yuma Drive; Madison, WI

Contact: Mike Oxley; 4222 Yuma Drive; Madison, WI

Requested Action: There are two Conditional Uses requested: 1) approval of a Conditional Use for an accessory dwelling unit [MGO §28.042(1)], and 2) approval of a Conditional Use for an accessory building exceeding 576 square feet measured at the ground floor in a TR District [MGO §28.131(1)(b)], at 4222 Yuma Drive.

Proposal Summary: The applicant proposes to build a 648 square foot accessory dwelling unit in the side yard of the subject property.

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 accessory dwelling units.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to allow an accessory dwelling unit, which is also an accessory building greater than 576 square feet in a TR district at 4222 Yuma Drive. 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 21,000-square-foot property is located on the north side of Yuma Drive, between South Midvale Boulevard and Waban Hill. It is located within Aldermanic District 10 (Ald. Henak) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The property is zoned Traditional Residential – Consistent 1 (TR-C1) District and is developed with a one-story, three-bedroom, two-bathroom, 2,112-square-foot single-family residence built in 1949. The house has an attached 580-square-foot carport.

Surrounding Land Use and Zoning:

North: Single-family residences zoned Traditional Residential – Consistent 1 (TR-C1) District,;

East: Single-family residences zoned TR-C1;

South: Across Yuma Drive, single-family residences zoned TR-C1; and

West: Single-family residences zoned TR-C1.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel. The site is not within a neighborhood planning area.

Zoning Summary: The property is in the Traditional Residential – Consistent 1 (TR-C1) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000	21,000
Lot Width	50 ft	140 ft
Front Yard Setback	20 ft	20 ft
Side Yard Setback	6 ft	10 ft
Rear Yard Setback	35 ft	94 ft
Usable Open Space	1,000 sq ft	1,000+ sq ft
Maximum Lot Coverage	50%	13% (3.)
Maximum Building Height	25 ft (accessory dwelling unit)	10 ft

Other Critical Zoning Items	Utility Easements
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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, Analysis, and Conclusion

The applicants propose to build an accessory dwelling unit in a new accessory building at 4222 Yuma Drive. The applicants intend for an aging parent to live in the ADU, which is one story tall and approximately 648 square feet in area, with one bedroom and one bathroom. According to the applicants, the main house is a Usonian home designed and built by Cary Caraway, a Frank Lloyd Wright Apprentice. The site, which includes two platted lots, places the ADU near the southwest corner, toward the front of the parcel. The primary house sits approximately halfway back in the site from the street, predominantly on the eastern half of the parcel. The ADU is designed with architectural styling common to the existing house, with similar materials and the same colors. The west, east, and south elevations all feature glazed exterior doors, conventional windows, and clerestory windows. The north elevation also features extensive glazing. The building is clad in a mix of painted wood, plywood siding panels, and EIFS. The proposed building has a flat roof and an unfinished basement.

This request 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 (LR) uses for the subject parcel, which are areas predominantly made up of single-family and two-unit structures. LR areas should provide a range of housing choices for households with varying incomes, sizes, ages, and lifestyles. The Comprehensive Plan specifically states that ADUs are an additional method of creating housing diversity with LR areas and that ADUs are allowed

on single-family lots in LR areas subject to zoning regulations and approvals.. The site is not within any neighborhood or special area plans. In considering the adopted plan recommendation, the Planning Division believes that the proposed use is generally consistent with the Comprehensive Plan.

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. While ADUs and larger accessory structures are somewhat uncommon in this neighborhood, because of the large size of the parcel, staff believes the accessory building will not result in an “overbuilt” condition for the lot. The subject parcel is 21,000 square feet in area, twice as large as the adjacent lots and more than twice as large as those across Yuma Drive. Additionally, the parcel has a substantial screening hedge along the south (street-side) and west property lines. Due to these factors, staff do not believe the accessory building and ADU will have significant negative impacts on the neighborhood. Staff believes the Plan Commission can find the applicable conditional use approval standards can be met.

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. Generally, the Supplemental Regulations speak to consistency and compatibility of the proposed ADU with the principal residence, including overall size, design/appearance and placement. Recommended conditions require changes to the plan to prevent the ADU from being too large, and the recording of a restrictive covenant related to owner-occupation of the property. With the recommended conditions, Staff believe all the supplemental regulations for ADUs can be found to be met.

Conclusion

The Planning Division believes 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. Further, staff believes the proposal can be compliant with the Zoning Code’s supplemental regulations for Accessory Dwelling Units. Due to the building design, large parcel size, and on-site screening, staff does not anticipate that the construction and use of the proposed ADU will result in negative impacts on the surrounding properties.

At the time of report writing, staff has received one public comment, which has been included with the Plan Commission materials.

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 allow an accessory dwelling unit, which is also an accessory building greater than 576 square feet in a TR district at 4222 Yuma Drive. 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

Planning Division (Contact Colin Punt, (608) 243-0455)

1. 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 Planning Division, Zoning Administrator, and City Attorney's Office and shall be recorded with the Dane County Register of Deeds.

2. Material and paint colors shall be shown on the building elevations.

Office of the Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4560)

3. The accessory dwelling unit is proposed to have a basement. This basement shall be of such a height that it cannot be finished in the future, which would increase the square footage of the accessory dwelling unit to more than the allowed 700 square feet.

4. 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.

5. Show the driveway on the final site plan.

6. This property currently has a tourist rooming house license. A tourist rooming house can only be located in the primary residence of the operator.

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

7. The proposed Accessory Dwelling Unit will either need to have a separate sanitary sewer lateral or connect to the sewer lateral serving the main home. If the applicant intends to install separate lateral connecting to the City sewer in Yuma Drive, applicant will be required to submit a plan for the lateral. If the lateral is to be connected the primary home, applicant shall note on site plan that lateral for the accessory dwelling unit will be connected to the primary home

8. If new sanitary or water laterals are required, obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit, a deposit to cover estimated City expenses will be required.

9. 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.

10. 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.

11. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.

12. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

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

13. Identify on the plans the lot and block numbers of recorded Plat.

14. Provide a site plan that includes all lot/ownership lines, existing building locations, proposed building additions, demolitions, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.

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

16. The address of the ADU is 4226 Yuma Dr.

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 Division (Contact Sarah Lerner, (608) 261-4281)

17. 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# 20036 when contacting Parks about this project.

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

18. 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>.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

19. Update the plans to show how the Accessory Dwelling Unit will be provided with water service. This can be done by either the existing water service or a new water service connected to public water main.

20. If a new water service is going serve the Accessory Dwelling Unit, 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/plumbers-contractors>), 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. A Water Meter Application Form will subsequently be required to size & obtain a water

meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, contact Madison Water Utility at (608) 266-4646.

The Traffic Engineering Division, Forestry Section, and Metro Transit have reviewed this request and have recommended no conditions of approval.