



# Report to the Plan Commission

April 22, 2013

**Legistar I.D. #29440**  
**2838 Milwaukee Street**  
**Conditional Use Request**

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval of a conditional use for a bicycle repair facility as a home occupation in a accessory building in the TR-C4 (Traditional Residential – Consistent 4) District.

**Applicable Regulations & Standards:** Section 28.151 provides the supplemental regulations for home occupations. Section 28.183(6) provides the standards for approval of conditional uses.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the proposal can meet all applicable conditional use standards and **approve** the request for the home occupation at 2838 Milwaukee Street, subject to the recommended conditions and input provided at the public hearing.

## Background Information

**Applicant/Contact/Property Owner:** Danny Seppa; 2838 Milwaukee St.; Madison, WI 53704

**Proposal:** The applicant proposes to utilize a detached garage on a residential property for a home occupation for the repair and construction of bicycles for sale.

**Parcel Location:** 2838 Milwaukee Street is located on the northwest corner of Milwaukee Street and Marquette Street in the TR-C4 District; Aldermanic District 6 (Rummel); Madison Metropolitan School District.

**Existing Conditions:** The 13,100 square foot lot has a two-story single-family home, constructed in 1901, and a detached two car garage approximately 680 square feet in size.

**Surrounding Land Use and Zoning:** The area surrounding the property is zoned TR-C4, and consists primarily of single-family and two-family 4,000 to 18,000 square foot lots. A four-unit building is located across Marquette Street to the east.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends continued Low Density Residential land use for the area.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

**Public Utilities and Services:** The property is served by a full range of urban services, including Metro Transit Routes 5, 14, and 15

**Zoning Summary:** The property is in the TR-C4 (Traditional Residential – Consistent 4) District

Requirements	Required	Proposed
Lot Area	4,000 sq. ft.	13,089 sq. ft.
Lot width	40'	118'
Front Yard Setback	20'	N/A
Side Yard Setback	6'	N/A
Maximum Height	2 stories / 35'	N/A
Maximum Lot Coverage	65%	adequate
Maximum Building Coverage, nonresidential	50%	Less than 50%
Usable Open Space (sq. ft./d.u)	750 sq. ft.	adequate

**Site Design**

No. Parking stalls	1	1
Landscaping	No	No
Lighting	No	No
Building Forms	Yes	Meets building forms req.

**Other Critical Zoning Items:** None

*Prepared by: Pat Anderson, Asst. Zoning Administrator*

**Project Description**

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The applicant, who owns the single-family home on this property, is seeking a conditional use to utilize a detached garage as a space for bicycle repair and building bicycles out of recycled bicycle parts to prepare for sale. The stated intent is to perform repairs and sell finished bicycles on-site, although the bicycle parts and many of the finished bicycles will need to be stored off-premises in a commercial storage space. The applicant hopes to build the business and eventually relocate it entirely to a rented commercial space.

**Evaluation and Conclusion**

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**Conditional Use-**

Based on the Supplemental Regulations for Home Occupations (Section 28.151), two aspects of this proposal trigger conditional use review: First, the use of an accessory building for a home occupation, and second, commodities (in this case, bicycles) kept and sold that were not made on the premises.

As with all home occupations, it is important that the business operate in such a way so that it is not obvious. Essentially, the property should appear to be a residential property, and as per the supplemental regulations, the only exterior indication of the home occupation shall be a non-illuminated nameplate a maximum of two (2) square feet in area.

On an April 16 site visit, staff noted dozens of bicycles arranged in the front yard. As per the zoning requirements and Condition No. 1 below, this arrangement is not and will not be allowable. Assuming all bicycles and bicycle parts are stored off-site or within the detached garage, staff believes that the conditional use standards can be met. The Plan Commission will retain continuing jurisdiction over the conditional use on this property.

**Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

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Planning Division staff recommend that the Plan Commission find that the conditional use standards can be met and **approve** the proposal, subject to input provided at the public hearing and the conditions from reviewing agencies below.

**Planning Division** (Contact Heather Stouder, 266-5874)

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| <ol style="list-style-type: none"> <li>If, in the future, zoning staff finds that bicycle parts or bicycles for sale are being stored outside on the property, the Plan Commission may revoke the conditional use for the property.</li> </ol> |
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***The following conditions have been submitted by reviewing agencies:***

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

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| <p>2. Site plan shows an outdoor retail area. There shall be no outdoor retail, display, or storage area. The only exterior indication of a home occupation shall be a non-illuminated nameplate a maximum of (2) square feet in area. Final plan sets shall not show an outdoor retail area.</p> |
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3. Business shall comply with the provisions of Section 28.151: Home Occupations.

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

This agency did not submit a report for this proposal.

**Water Utility** (Contact Dennis Cawley, 261-9243)

This agency did not submit a report for this proposal.

**City Engineering Division** (Contact Janet Dailey, 261-9688)

This agency submitted a report with no conditions of approval for this proposal.

**Traffic Engineering** (Contact Eric Halvorson, 266-6527)

This agency submitted a report with no conditions of approval for this proposal.