

## PLANNING DIVISION STAFF REPORT

August 11, 2014

PREPARED FOR THE PLAN COMMISSION



**Project Address:** 220 North Meadow Lane  
**Application Type:** Conditional Use  
**Legistar File ID #:** [34634](#)  
**Prepared By:** Heather Stouder, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

### Summary

**Applicant/Contact/Property Owner:** Bert Dennis; 1302 Sugar Maple Lane; Verona, WI 53593

**Requested Action:** Approval of a conditional use for an accessory dwelling unit and for an accessory building exceeding 800 square feet in size and over 10% of the lot area in the in the Traditional Residential – Consistent 1 (TR-C1) District.

**Proposal Summary:** The applicant proposes to construct an accessory dwelling unit on the second floor of a new detached garage.

**Applicable Regulations & Standards:** This proposal is subject to the standards for conditional uses (MGO Section 28.183(6)).

**Review Required By:** Plan Commission (PC)

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the request for an accessory dwelling unit at 220 North Meadow Lane. 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:** 220 North Meadow Lane is located on the west side of North Meadow Lane between Regent Street and Heather Crest; Traditional Residential – Consistent 1 (TR-C1) District; Aldermanic District 10 (Schmidt); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The 8,450 square foot property has a 960 square foot single-family home constructed in 1959 with a driveway leading from North Meadow Lane to an attached garage.

#### Surrounding Land Use and Zoning:

North, East, and South: Single-family homes in the Traditional Residential – Consistent 1 (TR-C1) District.

West: 4-unit buildings in the Traditional Residential – Varied 1 (TR-V1) District oriented to North Midvale Boulevard.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) and Hoyt Park Area Joint Neighborhood Plan (2014) recommend low-density residential uses for this site.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	8,450 sq. ft.
Lot Width	50'	84.5'
Usable Open Space	1000 sq. ft.	Adequate
Maximum Lot Coverage	50%	Adequate
	Requirements	Proposed
ADU size	75% dwelling floor area up to 700 sq. ft.	696 sq. ft.
ADU height	25'	23'±
Lot line setbacks	3'	3' - RS 57.5' - LS 5.5' Rear lot line
<b>Other critical zoning items:</b> None		

Table Prepared by Patrick Anderson, 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 Metro Transit Route 14 running along Regent Street and Route 11 running along Midvale Boulevard.

## Project Description, Analysis, and Conclusion

The applicant proposes to construct a new two-story detached garage in the northwestern portion of the property with an accessory dwelling unit (ADU) on the second floor. As part of the overall project, the existing attached garage would be converted to additional living space within the existing single-family home on the property. The existing driveway leading to the attached garage would be removed and replaced with a sidewalk, and a new driveway leading to the new detached garage is proposed.

The footprint of the proposed garage is approximately 920 square feet, and looks as though it could accommodate up to 4 parked cars. The second floor living area is accessed via a stairway within the ADU is 696 square feet, with a small balcony off of the south side of the unit. The ADU is stepped back approximately 10 feet from the front of the garage. The accessory building meets setback requirements, and maintains a four and a half foot distance from the house.

The two-story accessory building is 25 feet tall, approximately 10 feet taller than the single-family home on the site, but has a similar hipped roof and similar siding, with the soffit and fascia matching the house. Staff believes that while this arrangement was not anticipated as the norm for ADU's, it adequately addresses the supplemental requirements in the zoning code, and is an example of how an ADU can be accommodated on properties with relatively modest, one-story homes. The proximity of the proposed structure to garages on adjacent properties helps to mitigate any shadow impacts it might have on the usable open spaces of these properties.

**Conditional Use Standards** -Staff believes that the proposal can meet the conditional use standards as summarized below:

- The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*  
 Staff believes that this standard can be met.
- The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.*

Staff believes that this standard can be met.

3. *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*

Staff believes that this standard can be met, as properties adjacent to the proposed structure have garages next to it. The property immediately adjacent to the north has a single-family home and an existing 575 square foot detached garage adjacent to the proposed garage/ADU. The property immediately adjacent to the west has a 4-unit building and a detached garage, directly behind the proposed garage/ADU.

4. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

Staff believes that this standard can be met.

5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided.*

Staff believes that this standard can be met.

6. *Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.*

Staff believes that this standard can be met.

7. *The conditional use conforms to all applicable regulations of the district in which it is located.*

Staff believes that this standard can be met, so long as all conditions of approval are adequately addressed.

[Standards 8-15 do not apply to this request]

On balance, staff believes that the conditional use standards for an accessory dwelling unit, for an accessory building exceeding 800 square feet and exceeding 10% of the lot area can be met with the proposal.

## Recommendation

### Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the request for an accessory dwelling unit at 220 North Meadow Lane. 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

### City Engineering Division (Contact Janet Schmidt, 261-9688)

1. Show, dimension and label the 5' wide Utility Easement along the rear of the lot as per the plat of First Addition to Midvale Terrace.
2. The lot depth for Lot 45 is 100 feet, not 99 feet as shown on the site plat. This shall be corrected on the final plans.
3. The address of the ADU is 222 N Meadow Ln.

4. This area is subject to flooding. Applicant shall keep the entrance to the garage a minimum of 2-feet above the adjacent top of curb (existing) at the driveway.
5. Applicant shall provide a separate lateral for the separate dwelling or an ownership/maintenance agreement for the lateral if the new building connects to the existing building's plumbing.
6. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
7. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
8. 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).
9. 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).
10. All damage to the pavement on Meadow Lane 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).
11. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. 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 (POLICY).
12. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).  
  
PDF submittals shall contain the following information:
  - a) Building footprints
  - b) Internal walkway areas
  - c) Internal site parking areas
  - d) Lot lines and right-of-way lines
  - e) Street names
  - f) Stormwater Management Facilities
  - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)
13. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service (POLICY).

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

14. The placement of the accessory building appears to be about 6" too far forward, resulting in a required 7' side setback. There is room to shift the building slightly to the rear (about 6") which would then allow a 3' side yard setback.
15. Proposed accessory building shall meet all building codes as well as accessory dwelling unit complying with supplemental regulations of 28.151 MGO.

16. The number of occupants of the accessory dwelling unit shall not exceed one (1) family or two (2) unrelated individuals.
17. Provide detailed building elevations on final plan sets, including the height to the peak of the accessory building on all four elevations.

**Parks Division** (Contact Kay Rutledge, 266-4714)

18. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Garner park impact fee district (SI29). Please reference ID#14142 when contacting Parks about this project.

Fees in lieu of dedication =	1	SF	@	\$2,827.00	=	\$2,827.00
Park development fees =	1	SF	@	\$1,031.27	=	\$1,031.27
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Total Fees						\$3,858.27

19. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

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

20. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

**Water Utility** (Contact Dennis Cawley, 266-4651)

21. This property is not located in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.