

PLANNING DIVISION STAFF REPORT

August 25, 2014

PREPARED FOR THE PLAN COMMISSION



Project Address: 1030 Vilas Avenue and 315 South Mills Street
Application Type: Demolition and Conditional Use
Legistar File ID #: [34913](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant/Owner: Rodney and Karen Stevenson; 1030 Vilas Ave., Madison, WI 53715

Project Contact: David Blecker, PE; Phase Three Energy LLC; 7295 E. Cates Rd.; Belleville, WI 53508

Requested Action: Approval of a demolition of a single-family home and construction of an attached garage with an accessory dwelling unit in the Traditional Residential Consistent 3 (TR-C3) District.

Proposal Summary: The applicant proposes to demolish a single-family home at 315 S. Mills St. in order to expand their property, and to construct an attached garage with a second floor accessory dwelling unit. The proposal also includes a separate carport and additional parking spaces.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition (MGO Section 28.185) and conditional uses (MGO Section 28.183(7)).

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards can be met and **approve** the request at 1030 Vilas Ave. and 315 S. Mills St. 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 property is located on the northeast corner of Vilas Avenue and South Mills Street; Traditional Residential Consistent 3 (TR-C3) District; Aldermanic District 13 (Dailey); Madison Metropolitan School District.

Existing Conditions and Land Use: The subject property is comprised of two parcels, each with a single-family home. 315 South Mills Street is a 3,190 square foot parcel with a three-bedroom, 748 square foot home constructed in 1884, which is proposed to be demolished. Driveway access to this property is provided from the alley to the north. 1030 Vilas Avenue is an 11,253 square foot parcel with a five-bedroom, 3,600 square foot home to remain on the site with the proposed addition. Driveway access to this property is provided from South Mills Street on the west side, along the northern edge of the property.

Surrounding Land Use and Zoning:

North: Across a public alley to the north, single-family home in the TR-C3 District

East: Single-family home in the TR-C3 District

South and West: Across South Mills Street to the west, and across Vilas Avenue to the south, single- and two-family homes in the TR-C3 District

Adopted Land Use Plan: The Comprehensive Plan (2006) and Greenbush Neighborhood Plan (2008) recommend low-density residential uses for this area. The Greenbush Neighborhood Plan (2008) envisions preservation and rehabilitation of existing housing stock in this area, and recommends the development of a Neighborhood Conservation Overlay Zoning District. The Greenbush Housing Revitalization Strategy (2010) anticipates incremental redevelopment and reinvestment to accommodate new residential development in this area. Preservation of existing housing stock is recommended, although the document acknowledges that some sub-par housing should be replaced with new investments, in order to support investments in other existing homes.

Zoning Summary: The property is in the Traditional Residential Consistent 3 (TR-C3) District.

Dimensional Requirements	Required	Proposed
Lot Area	3,000 sq. ft.	13,950 sq. ft.
Lot Width	30'	93'
Front Yard Setback	15'	37.9'
Side Yard Setback	5'	26.8' – RS, 18.4' - LS
Lot line setback for accessory building (carport)	5'	3'
Rear Yard Setback	20'	20'
Maximum Height, addition	2 stories / 35'	2 stories/28'
Maximum Lot Coverage	75%	75%
Usable Open Space	500	Adequate

Site Design		
Min. number parking stalls	Single-family home (1) ADU (0)	6
Max. number parking stalls	Single-family home – (4 outside spaces) ADU – (2)	6
Landscaping	No	No
Lighting	No	No
Building Forms	Yes	Yes, Single-family detached building
Other Critical Zoning Items: Utility easements		

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 transit routes running along South Mills Street adjacent to the site.

Related Approvals

On May 20, 2013, the Plan Commission approved an accessory dwelling unit (ADU) on the second floor of a new detached garage on the property at 1030 Vilas Avenue, not involving demolition of the adjacent single-family home. The applicant has decided not to move forward with that approved plan, and instead to pursue the proposal now before the Plan Commission.

Project Description

The applicant proposes to demolish a single-family home on a newly acquired property behind their home to make way for construction of a new attached garage with an accessory dwelling unit on the second floor. As part of a related Certified Survey Map, the two properties would be combined, and a lot line shared with the property adjacent to the east would be straightened, resulting in a 13,950 square foot subject property.

Also in conjunction with the proposal, the existing attached garage in the center of the property would be remodeled as additional living space, and a new breezeway would connect this space to the new attached garage and accessory dwelling unit. An existing driveway from South Mills Street would be eliminated, and vehicle access to the property would be added from the public alley to the north. The proposal also includes a new 485 square foot carport in the northeastern corner of the property to accommodate two cars, and two additional paved parking spaces, for a total of six parking spaces.

The existing three-bedroom home proposed for demolition was constructed in 1884, and is 748 square feet in size. From submitted photos, the home appears to be in relatively poor condition, with rotting floor joists and exterior repairs needed.

The proposed addition is approximately 45 feet wide, 30 feet deep, and 27 feet high to the peak of the roof. The addition has an approximately 1,195 square foot footprint to accommodate two cars, storage areas, mechanicals, and laundry facilities on its first floor. A 695 square foot accessory dwelling unit is located on the second floor, with a large balcony on its north side and access via a door and walkway to another balcony above the living space that will be created from the existing attached garage. The proposed 8-foot long breezeway connecting the new addition to the main home is recessed by approximately 20 feet from the western wall of the proposed addition. The proposed carport is approximately 22 by 22 feet in size, with space for two cars, and appears to be approximately 10 to 12 feet high.

Exterior materials for the proposed addition include brick on the first floor to match the existing home and painted cedar siding on the upper floor. The exterior of the carport will be primarily painted cedar, with lattice on the exterior between the columns.

Project Analysis and Conclusion

This proposal may not be typical of the accessory dwelling units anticipated when the zoning code was changed to allow for them. In this case, a small single-family home is proposed for demolition to accommodate a significant addition to a large single-family home, which includes an ADU. The result is an approximately 5,000 square foot single-family home with an attached two car garage, a detached two-car garage, and two additional outdoor parking spaces. As a whole, the proposed home stretches over 91 feet along South Mills Street. On the 13,950 square foot property, which is much larger than most other properties in this neighborhood, this proposal will be able to meet zoning requirements related to setbacks, lot coverage, and usable open space with small changes to the placement of the detached garage. The addition is well-designed to match the existing single-family home, and would include high-quality windows, doors, and finishes.

Plan Consistency: The proposal is generally consistent with the Comprehensive Plan and Greenbush Neighborhood Plan recommendations for low-density residential uses in this area. In some ways, the proposal runs counter to recommendations in the Greenbush Housing Revitalization Strategy (2010) to preserve existing housing stock and promote home-ownership, but it does provide a new, high quality rental housing opportunity similar in size to the single-family home proposed for demolition. The Strategy document does support the selective replacement of sub-par housing with new investments, and the proposal is an example of this.

Notably, the subject property, including the house at 315 South Mills Street proposed for demolition, lies just outside of the recently created Tax Increment Financing District 43, where the City is directly supporting investments to improve housing stock to promote homeownership. If the home were within TID 43, staff would note that the home would have easily qualified for TIF assistance, and could have been an affordable option for owner-occupied housing in the neighborhood. However, TIF support would not have been possible for this property. Staff understands that the proposal is well-supported by neighbors, the Greenbush Neighborhood, and the Alder, and is unaware of any concerns expressed about the proposal.

Supplemental Requirements for Accessory Dwelling Units (MGO Section 28.151): As with all accessory dwelling units, several supplemental requirements must be met, and guidelines addressed, in order for the project to move forward. These requirements and guidelines are as follows:

Requirements:

1. *The principal dwelling of the accessory dwelling unit must be owner-occupied except that a temporary absence of up to six (6) months is allowed.*
2. *The principal dwelling must be a single-family detached dwelling.*
3. *No more than one (1) accessory dwelling unit may be located on a lot.*
4. *The number of occupants of the accessory dwelling unit shall not exceed one (1) family or two (2) unrelated individuals.*
5. *The accessory dwelling unit shall not be sold separately from the principal dwelling.*
6. *The maximum height of a detached building containing an accessory dwelling unit, including one built above a garage, shall be twenty-five (25) feet. Height shall be measured as a principal building pursuant to Sec. 28.134(1)(b).*
7. *The maximum size of an accessory dwelling unit shall be seventy-five percent (75%) of the principal dwelling's floor area, up to a maximum size of seven hundred (700) square feet.*
8. *The minimum setback requirements shall be those for accessory building or structures of the underlying zoning district.*
9. *Accessory dwelling unit entry ways within a rear or side yard shall be connected to a street frontage by a paved walkway or driveway.*
10. *The appearance or character of the principal building shall not be significantly altered so that its appearance is no longer that of a single-family dwelling.*

Suggested Guidelines:

1. *The exterior finish material of an accessory dwelling unit shall match the type, size and placement of exterior finish material of the principal dwelling.*
2. *The roof pitch shall match the predominant roof pitch of the principal dwelling.*
3. *Trim and projecting eaves shall match those of the principal dwelling.*
4. *Windows shall match those in the principal dwelling in proportion (relationship of width to height) and orientation (horizontal or vertical).*

Staff believes that all of the supplemental requirements are met, or are intended to be met.

Demolition Standards: Staff believes that the demolition standards can be met. In their informal review of the demolition request, the Landmarks Commission found that the home at 315 South Mills Street has no historic value. The proposed use is generally consistent with adopted plans. The applicant has not indicated that they have made efforts to relocate the home, but seeing the significant issues with the floor joists and other components, it is not likely a good candidate for relocation.

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

1. *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.
 2. *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.
 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. While the resulting house itself will be much larger than others in the area, it also sits on a much larger lot than most others in the area, and will not impede normal and orderly development on surrounding properties.
 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, so long as conditions of approval are adequately addressed.
 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]

Recommendation

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

The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards can be met and **approve** the request at 1030 Vilas Avenue and 315 South Mills 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 Division (Contact Heather Stouder, 266-5974)

1. Prior to submitting final plans for staff review and approval, the applicant shall confirm with the Zoning Administrator that the ADU meets the maximum size requirement of 700 square feet, which would mean that the proposed laundry and storage facilities on the lower level of the garage do not count toward this total.

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

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| <ol style="list-style-type: none">2. Drainage moves through this site from north to south. The plan shall be revised to provide more info on drainage and how this existing drainage shall be accommodated.3. Drainage from the alley appears to run directly into the garage. Provide detail to show how drainage diverts from entering the garage.4. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.5. Correct the lot dimensions on the site plan. Per the pending CSM the lot width is 93 feet and the lot depth is 150 feet.6. The Sanitary Sewer and Water Lateral Easement per Document No. 1708723 appears to serve the home that is being demolished at 315 South Mills Street as part of this plan. The proposed plan for the addition to the home at 1030 Vilas Avenue shows sewer and water laterals to connect to facilities in South Mills Street. If so, it is recommended that the applicant release the easement by recorded document at the Register of Deeds Office.7. The proposed carriage house garage with living quarters upstairs for guests or for rental purposes is assigned an address of 319 S Mills St. |
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8. 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.
 9. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
 10. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees (MGO 16.23(9)(d)(6)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
 11. 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).
 12. 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).

13. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan (POLICY).
14. All damage to the pavement on Vilas Avenue & Mills Street, 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).
15. 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).
16. 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)
17. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14)).
18. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff (MGO 16.23(9)(d)(4)).

Zoning Administrator (Contact Pat Anderson, 266-5978)

19. Sec. 28.185(7)(a)5 - Requires approval of a reuse and recycling plan by the Recycling Coordinator, Mr. George Dreckmann, (608) 267-2626, prior to the issuance of the demolition permit.
20. Sec. 28.185(10) - Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
21. Sec. 28.185(9)(a) - A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
22. Proposed accessory dwelling unit shall meet all building codes as well as accessory dwelling unit complying with supplemental regulations in MGO 28.151.

23. Sec. 28.131(2)(c)3 – The carport must provide a 5' side yard setback, where 3' is shown on the plans. Work with zoning staff to design revision to the plans to provide the setback or locate the carport entirely within the required 20' rear yard area.
24. The number of occupants of the accessory dwelling unit shall not exceed one (1) family or two (2) unrelated individuals.
25. Provide dimensions for proposed carport and ADU/garage addition height on final plan sets.
26. Please be advised that if the outside parking stalls are to be leased to non-tenants (a permitted use) such use shall comply with the supplemental regulations of MGO 28.151 below:
 - a) The lessee shall reside within a block, all or a portion of which is within fifteen hundred (1500) feet of the parking facility.
 - b) Adequate usable open space shall be provided for any residential use located on the same zoning lot, except for lots in the Central Area.
 - c) Occupants of the principal use shall have first right of refusal for the parking facilities.
 - d) The lessee shall provide the owner of the facility documentation establishing his/her place of residence.
 - e) All new parking facilities shall comply with City standards for design, paving, and screening.

Fire Department (Contact Bill Sullivan, 261-9658)

27. 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>
28. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt. Scott Bavery (608) 576-0600.

Water Utility (Contact Dennis Cawley, 266-4651)

29. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Metro Transit (Contact Tim Sobota, 261-4289)

30. Metro Transit operates daily transit service along Mills Street through the Vilas Avenue intersection adjacent the project site. Bus stop zone #3075 currently extends along the east side of South Mills Street, from the existing bus stop sign pole and concrete boarding pad back to the intersection.
31. The existing bus stop zone and concrete boarding pad shall remain accessible to passengers and vehicles throughout the project and upon completion.

No other agencies submitted comments for this request.