

PLANNING DIVISION STAFF REPORT

May 4, 2015

PREPARED FOR THE PLAN COMMISSION



Project Address: 2615 Stevens Street
(5th Aldermanic District, Alder Bidar-Sielaff)

Application Type: Rezoning

Legistar File ID #: [37779](#)

Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant/Property Owner/Contact: Constantine and Tim Christ; 2 Marble Cir. Madison, WI 53719

Requested Action: Approval of a rezoning from Traditional Residential – Consistent 2 (TR-C2) to Traditional Residential – Consistent 4 (TR-C4).

Proposal Summary: There are no proposed exterior changes at this time. The applicant proposes interior changes to convert a non-conforming 4-unit residential building to a 3-unit residential building.

Applicable Regulations & Standards: This proposal is subject to the standards for zoning map amendments in MGO Section 28.182(6).

Review Required By: Plan Commission (PC), Common Council (CC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for zoning map amendments can be met, and that the Plan Commission forward the request to the Common Council with a recommendation to **approve** the request. 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 subject property is located on the south side of Stevens Street between Farley Avenue and Grand Avenue; Aldermanic District 5 (Bidar-Sielaff); Madison Metropolitan School District.

Existing Conditions and Land Use: The 5,280 square foot property has an existing 4-unit apartment building constructed in 1940. The building is 2,288 square feet in size, and there are no accessory structures on the site.

Surrounding Land Use and Zoning: This site is surrounded on all sides by single-family homes in the TR-C2 District. On the other side of Stevens Street along this same block, there are two 2-unit buildings and a 5-unit building, also non-conforming uses among the single-family homes on the block.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends low-density residential uses in this area.

Zoning Summary: The applicant is requesting Traditional Residential – Consistent 4 (TR-C4) zoning for the property.

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.

Related Reviews and Approvals

If the property is rezoned to the TR-C4 District, the applicant will also need a zoning variance for lot area in order to establish the use as a three-unit building. This request has not yet been made, but should be a condition of approval for the rezoning.

Project Description, Analysis, and Conclusion

The applicant proposes a rezoning of the subject property from TR-C2 to TR-C4, in order to allow for a three-unit residential building. The proposal involves no exterior changes on the site, but would involve the elimination of an existing basement dwelling unit by removing the kitchen and either combining the basement space with the first floor dwelling unit or converting it into additional common storage space for the building.

Originally constructed in 1940 as a 4-unit building, the structure on the property has been vacant for more than one year, and thus has lost its legal non-conforming status in the TR-C2 District, which only allows for single-family homes. The building would be very difficult to convert to a single-family home at this time, and the owner seeks to instead convert it to a three-unit building, which still reduces the total number of dwelling units on the property. Resulting net density for this property alone would be reduced from 33 to 25 dwelling units per acre, and the broader area is well within the range for low-density residential uses as recommended in the Comprehensive Plan.

Staff believes that the standards for zoning map amendments can be met with this proposal. Although it results in a single “TR-C4” parcel in the midst of a “TR-C2” district, it provides conforming zoning for a small multi-family residential building that fits in well with others on the block. The block itself consists of largely single-family homes, but does include at least three other legal non-conforming uses on the north side of Stevens Street – two two-unit buildings and a five-unit building. The TR-C4 district would allow for single, two, and three-family homes.

Staff believes that it is in the public interest to support conforming zoning in order for this building to be occupied, rather than requiring conversion of a structure originally constructed as a four-unit building to a single-family home. The property will contribute to the overall variety of housing types in this area, which is an area very well-served by transit, and within walking distance of many education opportunities, employment opportunities, and other amenities.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the standards for zoning map amendments can be met, and that the Plan Commission forward the request to the Common Council with a recommendation to **approve** the request. 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 Heather Stouder, 266-5974)

1. Final plans submitted for staff review and approval shall include floor plans clearly showing the extent of the three proposed dwelling units. There shall be no more than three kitchens in the resulting building.
2. The applicant shall coordinate with the Zoning Administrator regarding any relevant zoning variances for the establishment of a three-unit building in the TR-C4 District, which must be granted prior to occupancy of the building.

Water Utility (Contact Dennis Cawley, 266-4651)

3. This property is in wellhead protection district WP-06. This proposed use is allowed in this district. Any proposed changes in use shall be approved by the Water Utility General Manager or his designee.
4. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Zoning Administrator (Contact Matt Tucker, 266-4569)

Comments from this agency will be provided to the Plan Commission when they are received.