



PREPARED FOR THE PLAN COMMISSION

Project Address: 2007-2011 Van Hise Avenue
Application Type: Certified Survey Map Referral
Legistar File ID # [33903](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Walter & Karen Pridham, Pridham Revocable Trust; 110 S. Henry Street; Madison.

Surveyor: Paul Spetz, Isthmus Surveying, LLC; 450 N. Baldwin Street; Madison.

Requested Action: Approval of a two-lot Certified Survey Map (CSM) adjusting the configuration of 2 existing platted lots.

Proposal Summary: The applicants are requesting to re-divide 2 existing approximately 60-foot wide lots combined into one home site and developed with a two-story single-family residence, detached garage and gazebo for the purposes of making the mostly undeveloped eastern half of the property available for sale. The applicants wish to record the CSM as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations. Section 16.23(3)(a)4 requires that the Plan Commission consider the recommendations of the Landmarks Commission under Section 33.19(5)(i)1 for any land divisions and subdivision plats of landmark sites and properties in historic districts regarding lot sizes.

Section 33.19(5)(i)1 allows the Landmarks Commission to review proposed land divisions and subdivision plats of landmark sites and properties in historic districts and make an advisory to the Plan Commission on whether the proposed lot sizes will negatively impact the historic character or significance of a landmark or landmark site and whether the proposed lot sizes are compatible with adjacent lot sizes and maintain the general lot size pattern of the Historic District.

Review Required By: Plan Commission following a recommendation by the Landmarks Commission. A resolution of the Common Council approving the CSM is also required.

Review Schedule: The State's subdivision statute, Wis. Stats. 236, requires that a CSM be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the CSM is deemed approved. The proposed CSM application was submitted to the City on April 23, 2014. Therefore, the 90-day review period for this CSM is scheduled to expire circa July 23, 2014.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards for land divisions met with this request and **approve** a Certified Survey Map of property located at 2007-2011 Van Hise Avenue subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Parcel Location: A 14,408 square-foot (0.33-acre) parcel located on the south side of Van Hise Avenue between N. Prospect Avenue and Roby Road; Aldermanic District 5 (Bidar-Sielaff); University Heights Historic District; Madison Metropolitan School District.

Existing Conditions and Land Use: Single-family residence, detached garage and gazebo, zoned TR-C2 (Traditional Residential–Consistent 2 District).

Surrounding Land Use and Zoning: The subject site is generally surrounded by other single-family residences in the TR-C2 zoning district.

Adopted Land Use Plan: The subject site and surrounding residential properties are recommended for Low-Density Residential uses in the Comprehensive Plan.

Zoning Summary: The following bulk requirements apply in TR-C2 (Traditional Residential–Consistent 2 District):

	Required	Proposed
Lot Area (sq. ft.)	4,000 sq. ft per lot	Both proposed lots will exceed
Lot Width	40'	Both proposed lots will exceed
Front yard setback	20'	Lot 1: Existing; Lot 2: TBD at permitting
Side yard setback	One story: 5' / two story: 6'	Lot 1: Adequate; Lot 2: TBD at permitting
Rear yard	Lesser of 30% lot depth or 30'	Lot 1: Existing; Lot 2: TBD at permitting
Maximum lot coverage	65%	Lot 1: Existing; Lot 2: TBD at permitting
Maximum building height.	2 stories/35'	Lot 1: Existing; Lot 2: TBD at permitting
Usable open space (sq. ft. per unit)	750 sq. ft.	Lot 1: Adequate; Lot 2: TBD at permitting
Other Critical Zoning Items		
Yes:	Utility Easements, Landmarks (local district)	
No:	Urban Design, Wellhead Protection, Floodplain, Waterfront Development, Adjacent to Parkland	
<i>Prepared by: Pat Anderson, Assistant Zoning Administrator</i>		

Environmental Corridor Status: The development site is not located in a mapped environmental corridor (see Map D8).

Public Utilities and Services: The site is served by a full range of urban services.

Project Description

The applicants own Lots 4 and 5 of Block 24 of University Heights, respectively addressed as 2007 and 2011 Van Hise Avenue. The lots have historically been combined as one tax parcel and include a two-story single-family residence addressed as 2011 Van Hise Avenue. The parcel also includes a detached garage in the southwestern corner of the property and a gazebo located near the southeastern corner. The house is principally located on Lot 5 and is 2.5 feet away from the common line between the 2 platted lots. The applicants wish to sell the eastern half of their property separate from the residence and garage. However, the TR-C2 zoning district requires a minimum 6-foot side yard for a two-story residence, therefore requiring that the lot line formally be adjusted 3.5 feet to the east by CSM to create a saleable building site while maintaining zoning conformity for the house.

Analysis & Conclusion

The Planning Division believes that the proposed land division of the subject property can meet the standards for approval for Certified Survey Maps in the Subdivision Regulations. As designed, both proposed lots will meet the minimum requirements for new lots in the TR-C2 district, which requires a minimum of 40 feet of lot width and 4,000 square feet of lot area. The resulting lots are generally consistent with the other single-family lots in the surrounding neighborhood and this portion of the University Heights Historic District, and there is currently no neighborhood plan for this area that would suggest that the proposed lot line adjustment should not be approved. In addition, the City's preservation planner and the Landmarks Commission found that the proposed land division was compatible with adjacent lot sizes and maintained the general lot size pattern in the historic district (see attached reports).

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards for land divisions met with this request and **approve** a Certified Survey Map of property located at 2007-2011 Van Hise Avenue subject to input at the public hearing and the following conditions submitted by reviewing agencies:

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

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

1. Capitalize the word "block" on the third to last line of the legal description under the Surveyor's Certificate.
 2. Clarify the overall distances shown on the north and south lines of Lot 1 are not between the two nearest monuments.
 3. As proposed, the lot to be developed will drain directly into the middle of the home to the south. The applicant for a building permit shall be required to provide a detailed drainage plan to the City Engineer for approval prior to being issued a building permit.
 4. Add the following note to the CSM: "At the time of development of Lot 2, the applicant shall provide a detailed drainage plan for approval to City Engineering showing how downstream properties are protected from additional runoff."
 5. Lot 2 shall install a new sanitary sewer and water lateral to serve proposed development. This requirement shall be noted on the CSM.
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6. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Schmidt (261-9688) to obtain the final stormwater utility charges that are due and payable prior to subdivision of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

7. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
8. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.

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

This agency submitted a response with no comments or conditions of approval for this request.

Zoning Administrator (Contact Pat Anderson, 266-5978)

9. The gazebo on proposed Lot 2 shall be removed prior to final approval and recording; the Zoning Code does not allow accessory buildings on lots without principal buildings.

Fire Department (Contact Bill Sullivan, 261-9658)

10. The Madison Fire Department supports the lot adjustment to improve fire separation distance from the existing structure.

Water Utility (Contact Dennis Cawley, 261-9243)

11. Note: All unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

12. 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)) may be required for all new residential development. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID#14127 when contacting Parks Division staff about this project.

13. 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.

Office of Real Estate Services (Jenny Frese, 267-8719)

14. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.
15. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final CSM sign-off.
16. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to CSM recording. As of May 10, 2014, the 2013 real estate taxes are paid for the subject property and there are no special assessments reported.
17. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Ponders at the Water Utility (266-4641) that stormwater management fees are paid in full.