



## PREPARED FOR THE PLAN COMMISSION

**Project Address:** 312 Wisconsin Avenue  
**Application Type:** Certified Survey Map (CSM) Referral  
**Legistar File ID #** [35954](#)  
**Prepared By:** Kevin Firchow, AICP Planning Division  
Report includes comments from other City agencies, as noted

## Summary

**Applicant & Property Owner:** Bethel Lutheran Church; 312 Wisconsin Avenue; Madison, WI 53703

**Surveyor:** Hans Justeson, JSD Professional Services, Inc; 161 Horizon Drive, Suite 101; Verona, WI 53593

**Requested Action:** The applicant requests approval of a two-lot Certified Survey Map (CSM).

**Proposal Summary:** The applicant requests approval to create a two-lot CSM, dividing the 2.010-acre subject site into two (2) lots. On October 27, 2014 the Plan Commission approved the on-site relocation of the "Steensland House," a City Landmark. That approval included a condition requiring that the underlying platted lot lines be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit, necessary to meet building codes. This CSM would dissolve the underlying platted lot lines allowing the building to be placed where approved. Lot 1 is 1.914 acres (83,370 square feet) in area and includes the existing church and surface parking areas. Lot 2 would be the receiving site for the "Steensland House." That lot fronts onto West Gorham Street and has an area of 0.096 acres (4,171 square feet).

**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 October 22, 2014. Therefore, the 90-day review period for this CSM is scheduled to expire circa January 23, 2015.

**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 312 Wisconsin 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:** The 2.010-acre (87,541 square-foot) subject parcel is located in a block bounded by North Wisconsin Avenue, West Johnson Street, North Carroll Street, and West Gorham Street. The subject site is within Aldermanic District 4; the Mansion Hill Historic District; and within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site includes Bethel Lutheran Church, the landmark “Steensland House”, and a surface parking lot.

### Surrounding Land Use and Zoning:

North: Quisling Terrace Apartments and home converted into office space, zoned DR-1 (Downtown Residential 1);

South: Madison Area Technical College, zoned UMX (Urban Mixed Use District).

East: Offices, apartments, and places of worship zoned PD (Planned Development) and UMX; and

West: Apartment building and smaller 2-4 unit residential buildings zoned DR-1 and DR-2.

**Adopted Land Use Plan:** The Comprehensive Plan includes the site within the “Downtown Core” subdistrict and the Downtown Plan identifies this area as part of the Mansion Hill District. The latter plan states in part, “Mansion Hill’s historic character is a major asset and establishing a complete historic district experience of restored buildings, distinctive streetscape amenities, and a limited amount of new residential development that preserves and reflects these historic attributes should be pursued. The large historic homes provide a diversity of housing opportunities. Encourage sustainable rehabilitation of existing housing stock and period architecture and owner occupancy.”

**Zoning Summary:** The site is zoned UMX (Urban Mixed Use District.) A zoning summary table was not provided with this request.

**Environmental Corridor Status:** The development site is not located in a mapped environmental corridor.

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

## Project Description

The applicant, Bethel Lutheran Church, requests approval of a two lot Certified Survey Map (CSM) to facilitate the on-site relocation of the landmark “Steensland House.” That relocation was approved by the Plan Commission on October 27, 2014. That approval included a condition recommended by the City Engineering Division noting that “the proposed new building location will cross an underlying platted lot line and... requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit.” Approval and recording of this CSM would address that condition.

The proposed CSM divides the 2.010-acre subject site into two lots. Lot 1 includes 1.914 acres and would include the church and surface parking areas. Lot 2 would be the receiving site for the “Steensland House.” That lot fronts onto West Gorham Street and has an area of 4,171 square feet (0.096 acres).

## Analysis & Conclusion

The Planning Division believes that the proposed land division of the subject property can meet the approval standards for Certified Survey Maps in the Subdivision Regulations. As designed, both proposed lots will meet the minimum requirements for new lots in the UMX district, which requires lots to have a minimum area of 3,000 square feet and a width of 30 feet. The proposed Lot 2 is similar size to that of nearby residential lots. In addition, the proposed lot configuration appears to be consistent with the site plan approved by the Plan Commission, however staff requests that a supplemental site plan exhibit be provided to verify that the relocated "Steensland House" meets the dimensional requirements for UMX on the new lot. Finally, staff notes that the draft CSM does not accurately depict the existing internal drives and parking area as required in Section 16.23(7)(d) and 16.23(7)(a). If approved, such information shall be shown on the CSM presented for final sign-off.

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 Kevin Firchow, 267-1150)

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 312 Wisconsin Avenue subject to input at the public hearing and the conditions from reviewing agencies.

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

#### Planning Division (Contact Kevin Firchow, 261-9688)

1. That prior to final sign-off of this CSM, the applicant provides a site plan exhibit showing the relocated "Steensland House" located on proposed Lot 2. This will used to verify that all zoning district requirements can be met with the proposed lot. If necessary to meet the zoning requirements, adjustments to the lot configuration may be approved by staff.
2. That the applicant provides accurate existing condition information, including the location of drives and parking areas, as required by Section 16.23(7)(d) and 16.23(7)(a)10.

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

3. Add a note that this CSM that the "Steensland House" noted on the CSM is subject to a Notice of Designation per Document No. 1409653.
4. Remove the word Preliminary from the title of the Certified Survey Map.
5. Remove the apostrophe from the word "Lot's" on the page headers and in the legal description.
6. Provide blanks for the resolution number and file number under the City of Madison Certificate.

7. The Corporate Owner's Certificate shall have the owner's name modified to Bethel Lutheran Church, Inc.

8. 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).
9. 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)

10. Three residential units are planned for this property. It is not clear from the letter of intent whether off-street auto parking spaces on the property are reserved at all times for the residents. If fewer than three off-street auto spaces are reserved at all times for the residents, this is fewer than a 1:1 ratio of parking spaces to residential units. A condition of approval shall be that no residential parking permits shall be issued for 312 Wisconsin Avenue unless a minimum of three off-street auto spaces are reserved for residents at all times. This is consistent with other projects in the area. The applicant shall inform all tenants in their apartment leases that no residential parking permits will be issued. In addition, the applicant shall submit for 312 Wisconsin Avenue a copy of the lease noting the above condition.

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

11. Provide a detailed site plan showing the proposed 3 unit dwelling on lot 2 with setbacks. Provide details of zoning compliance of the 90% maximum lot coverage and 10 sq.ft. per bedroom of usable open space.

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

12. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Ensure new lot lines do not create a building code violation to the existing buildings. Refer to IBC 602.

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

13. The water service lateral for Lot 1 crosses Lot 2. A private water service lateral shall be dedicated across Lot 2, and a new water service lateral shall be installed to serve Lot 2.
14. This property is not 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. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

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

15. Ensure Owner's Certificate reflects accurate owner name per title work. Prior to requesting approval sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate.
16. A certificate of consent for all mortgagees shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off. Satisfactions of Mortgage must be provided with title update if mortgages are satisfied.
17. Under 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. As of October 31, 2014, the 2013 real estate taxes are paid for the subject property and there are no special assessments reported.
18. Prior to CSM approval sign-off, please verify Janet Schmidt at City Engineering (261-9688) or Sharon Pounders at the Water Utility (266-4641) that storm water management fees are paid in full.
19. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish to the City's Office of Real Estate Services, as well as the survey firm preparing the proposed CSM, an updated title report covering the period between the date of the initial title report (10/6/2014) and the date when approval sign-off is requested. Surveyor shall update the CSM with the most recent information reported in the title update.
20. The CSM shall be revised as follows:
  - a. Dimension all existing improvements (buildings, drives, parking lots, etc.), encroachments, wells and septic systems associated with the lands described for the proposed CSM. (Well abandonment: ref. NR 141).
  - b. Update Common Council Certificate with updated resolution information.
  - c. Remove apostrophe from the word 'Lots' in the legal description on each sheet.

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

This agency did not submit comments on this request.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.