



PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION

Project Address: 6602 Dominion Drive

Application Type: Zoning Map Amendment for an Amended Planned Development and Certified Survey Map

Legistar File ID # [34831](#), [34483](#) and [29606](#)

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

Summary

Applicant: Door Creek Church c/o Randy Olson; 6502 Dominion Drive; Madison, WI 53718

Contact: Noa Prieve; Williamson Surveying and Associates; 104A W Main St; Waunakee, WI 53718

Property Owner: Door Creek Church c/o Randy Olson; 6502 Dominion Drive; Madison, WI 53718

Requested Action: The applicant requests approval of on an amended Planned Development - General Development Plan (PD-GDP) and 4-lot certified Survey Map (CSM).

Proposal Summary: The applicant proposes to create three (3) new residential lots including two (2) single-family and one (1) two-family twin lot from the approximately 31-acre Door Creek Church property. The lots will front on Annestown Drive. No other changes to the church property are proposed at this time. This request is for approval of only a General Development Plan amendment. Prior to construction commencing, the applicant is required to have detailed building and site plans approved as part of a Specific Implementation Plan zoning application.

Applicable Regulations & Standards: This proposal is subject to the standards for Zoning Map Amendments [M.G.O. Section 28.182(6)]; Planned Development- General Development Plans [Section 28.098(2)]; and Certified Survey Maps [Section 16.23]

Review Required By: Urban Design Commission (UDC), Plan Commission (PC), and Common Council.

Summary Recommendation: The Planning Division recommends that the Plan Commission approve the proposed Certified Survey Map and find that the standards for Zoning Map Amendments and Planned Developments are met and forward Zoning Map Amendment 00139, rezoning 6602 Dominion Drive from PD-GDP (Planned Unit Development Plan-General Development Plan-Specific Implementation Plan) to amended PD-GDP-SIP, to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the conditions recommended by the reviewing agencies. The approving ordinance specifies that the previously approved Specific Implementation Plans for the described church property shall remain in full force and affect following adoption of this ordinance.

Background Information

Parcel Location: The subject property is located at the intersection of Hopewell and Annestown Drives. The site is within Aldermanic District 3 and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes the existing church and related site improvements.

Surrounding Land Use and Zoning:

North: Single-Family homes, zoned PD (Planned Development);

South: Balance of the Door Creek Church property with undeveloped properties, zoned CN (Conservancy) beyond;

East: Single-Family homes, zoned PD; and

West: Single-Family homes, zoned SR-C1 (Suburban Residential-Consistent 1).

Adopted Land Use Plan: The Comprehensive Plan recommends “special-institutional” uses for this site. That recommendation includes large community-serving places of assembly and worship. The more specific Sprecher Neighborhood Development Plan also recommends “Institutional” uses for this site.

Zoning Summary: The property is an existing Planned Development (PD).

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.

Previous Approvals

The site is part of the Reston Heights Neighborhood, approved as a Planned Unit Development (PUD) in November 1998. The General Development Plan (GDP) and the first phase Specific Implementation Plan (SIP) approving the existing church were approved in 1999. That approval included the existing improvements and identified several future development phases. An addition to the Church was approved as an SIP amendment in 2013.

Project Description, Analysis, and Conclusion

The applicant, the Door Creek Church, has submitted two related requests. The first request is to amend the underlying Planned Development-General Development Plan (PD-GDP) zoning to establish the basic right of use for three (3) new residential lots fronting onto Annestown Drive. Currently, this portion of the site is undeveloped. The second request is to approve a four (4) lot certified survey map (CSM) creating the three (3) aforementioned residential lots and one (1) larger lot for the balance of the church site.

The three (3) proposed residential lots consist of two (2) 8,740 square foot single-family lots and one (1) 13,280 square foot two-family lot. Aside from the existing church, the surrounding properties consist of single-family lots of approximately this same size. At the suggestion of staff, the applicant has incorporated specific design standards into their proposed zoning text. These standards match those approved for the surrounding properties as part of the Reston Heights Planned Development. As a planned development, the design standards are unique to that development. Those standards include setbacks, useable open space, landscaping, and architectural standards.

The applicant has decided to proceed only with the General Development Plan (GDP) at this time. If approved, this revised GDP would establish the basic right of use for the new lots. Detailed site and building plans will be

required as part of a separate zoning application for a Specific Implementation Plan (SIP) prior to building permits being issued. In addition to the CSM, this application includes a basic site plan depicting the lots and their setbacks. As a condition of approval, staff requests clarifications to the Zoning text are provided to specify that the two family twin homes, the church and associated uses remain permitted as part of the underlying GDP.

The Comprehensive Plan and the Sprecher Neighborhood Development Plan recommend institutional uses for the subject property. These recommendations reflect the existing boundaries of the Door Creek Church property. Low Density Development is recommended on the surrounding properties including other sites that abut the church.

Staff believes that the proposed lots are consistent with the established development pattern and that the approval standards for Zoning Map Amendments, Planned Development-General Development Plans, and Land Divisions can be met.

Recommendation

Planning Division Recommendation (Contact Kevin Firchow, 266-5974)

The Planning Division recommends that the Plan Commission approve the proposed Certified Survey Map and find that the standards for Zoning Map Amendments and Planned Developments are met and forward Zoning Map Amendment 00139, rezoning 6602 Dominion Drive from PD-GDP (Planned Unit Development Plan-General Development Plan-Specific Implementation Plan) to Amended PD-GDP-SIP, to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the conditions recommended by the reviewing agencies. The approving ordinance specifies that the previously approved Specific Implementation Plans for the described church property shall remain in full force and affect following adoption of this ordinance.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division

1. The applicant works with Planning and Zoning staff on the final zoning text to ensure that the proposed uses and the existing church are properly included in the list of permitted uses. Information shall be approved by staff.

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

Zoning Map Amendment Comments:

2. 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.
3. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division. 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, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).

4. 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))
5. Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.

CSM Comments:

6. Applicant shall be aware that the Architectural Control Committee created per Restrictions for Reston Heights may have separate private approval review control as per re-subdivision requirements within Document No. 3181291 and any amendments recorded thereafter.
7. In reviewing the standard detail on the plat of Reston Heights, the majority Utility Easements along the perimeter of this CSM should be 12 feet wide where they were not originally centered on common lot lines. Applicant shall review the plat and revise the easement widths at appropriate locations on this CSM.
8. The coordinate values for the South 1/4 corner of Section 1 shown on the CSM do not match the coordinate values of record by the City of Madison per record control records. The corner shall note the record coordinate values and the record bearing of the quarter line shall be shown of N 89°25'56" E under the measured value.
9. The detail on sheet 3 for the Timber Edged Garden looks to be considerably less than 9.5 feet from the property line. Confirm the dimension and modify as necessary.
10. Use different line types for the Electric Easement per Document No. 3253959 and Sidewalk Easement per the plat of Reston Heights. The location of the different easements is difficult to discern.
11. The "20' Wide Easement for Sidewalk and Landscaping" shall be revised to read "20' Wide Easement for Public Sidewalk and Private Landscaping" as per correction instrument recorded as Document No. 3341409. Revise the note at two locations on sheet 4.
12. Note "recorded as" dimensions for the limits of the Public Storm Water Management Easement per Document No. 4998434. Also, the southeastern most dimension of 175.73 appears to be in error and should be 131.07 feet per the document. Revise and necessary to correct the error.
13. Remove Note 1 on Sheet 5, as a Title Report has been used.
14. Add the standard lot drainage note per MGO Section 16.23(8)(9)(b)2. This will release current drainage easements and create the required new easements for this CSM.
15. Correct the spelling of "recorded" on line one of Note 5 on Sheet 5.
16. Add a note "Subject to Declaration of Conditions and Covenants per Document No. 3481381.

17. Modify the Consent of Mortgagee Certificate to reflect the Door Creek Church, Inc. f/k/a Buckeye Evangelical Free Church, Inc as noted in the Title Report.
18. Storm sewer stubbed into the property on Annestown Drive shall be extended to the rear of new Lots 2, 3 and 4; and a drainage system designed, approved, and installed prior to the lot holds being released for these new lots.
19. Proposed Lots 2, 3, and 4 shall install sewer laterals as needed.
20. 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).
21. 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.
22. 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.
23. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone 1997 Coordinates on all PLS corners on the plat in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division website for current tie sheets and control data (http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html). If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.
24. In accordance with Section s.236.34(1)(c), which says a CSM shall be prepared in accordance with s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the CSM. Identify the owner and/or benefiting interest of all easements.
25. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred.

Traffic Engineering Division (Contact Eric Halvorson, 266-6572)

This agency submitted a report with no recommended conditions of approval.

Zoning Administrator (Contact Pat Anderson, 266-5978)

Comments were not provided in time to be included in this report.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency submitted a report with no recommended conditions of approval.

Parks Division (Contact Kay Rutledge, 266-4714)

26. 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 Door Creek park impact fee district (SI23). Please reference ID# 01106.5 when contacting Parks Division staff about this project.
27. The developer shall put the following note on the CSM if park impact fees for the new residential lots are not paid prior to CSM approval: "LOTS / BUILDINGS WITHIN THIS SUBDIVISION/ DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."
28. 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.

Water Utility (Contact Dennis Cawley, 261-9243)

29. 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 not need a copy of the approved plans.

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

30. Prior to requesting approval sign-off of the CSM, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. The certificate shall be prepared with the correct ownership interest and title shown in the title report.
31. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final sign-off. The title report erroneously reported the name of the mortgagee; therefore the name in the certificate needs to be revised to McFarland State Bank.
32. Per Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g), the property owner shall pay all real estate taxes and special assessments for the subject property prior to CSM recording. As of July 24, 2014, the 2013 real estate taxes are paid for the subject property and there are no special assessments reported.

33. Please verify that stormwater management charges are paid in full by contacting Janet Schmidt with City Engineering (261-9688) or Sharon Pounders with the Madison Water Utility (266-4641).

34. Revise the CSM prior to final sign-off as follows:

- a.) Reflect the items in the Affidavit of Correction recorded as Document No. 3341409 on the label for the 20-foot sidewalk and landscaping easement.
- b.) Include either the document number or name of Reston Heights plat in the easement labels.
- c.) Refer to CSM 9115 instead of the prior plat when labeling the 40-foot building setback.
- d.) Revise a portion of the label for MG&E easement recorded as Document. No. 3253959 to depict the Consent to Occupy area memorialized by the recently recorded Affidavit of Recording as Document No. 4998434.
- e.) Include and describe Document No. 3481381 and 4531235 as notes on Sheet 5.
- f.) Under Note #2 on Sheet 1, reference Sheet 5 instead of 4.
- g.) Carry over all applicable notes from the plat of Reston Heights.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.