



## Report to the Plan Commission

August 3, 2009

**Legistar I.D. #15502**  
**1421 MacArthur Road**  
**Certified Survey Map Referral**

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Consideration of a Certified Survey Map to divide one 0.37-acre lot into two on property owned by Mark Tyler Wood and located at 1421 MacArthur Road.

**Applicable Regulations & Standards:** Section 16.23, Land Subdivision Regulations, Madison General Ordinances provides the requirements for land divisions.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for land divisions met with this request and **approve** the two-lot Certified Survey Map of property located at 1421 MacArthur Road subject to the conditions from reviewing agencies.

### Background Information

**Applicant:** Mark Tyler Wood; 2816 Pleasant View Road, Unit 202; Middleton

**Surveyor:** Paul Spetz, Isthmus Surveying, LLC; 2146 Oakridge Avenue; Madison

**Proposal:** The applicant proposes to use a Certified Survey Map (CSM) to divide one lot into two lots in the R2 (Single-Family Residence) District for the retention of an existing single-family home and the future construction of a second single-family home.

**Parcel Location:** An approximately 0.37-acre parcel located on the northeast side of MacArthur Road between East Washington Avenue and McArthur Court; Aldermanic District 17 (Clausius); Madison Metropolitan School District.

**Existing Conditions:** The subject site is developed with a single-family home in the R1 (Single-Family Residence) District. Pending approval of this CSM, the property would be rezoned to the R2 (Single-family Residence) District.

### Surrounding Land Use and Zoning:

**North:** Single-family homes, zoned R1 (Single-Family Residence District)

**South:** Across MacArthur Road, surface parking lots and commercial buildings zoned C2 (General Commercial District), including "The Community Living Alliance", a nonprofit entity providing resources to people with physical disabilities

**East:** A two-family home on the adjacent lot, and single-family homes, zoned R1 (Single-Family Residence District)

**West:** Single-family homes, zoned R1 (Single-Family Residence District)

**Adopted Land Use Plan:** The Comprehensive Plan includes the subject property within the "Low Density Residential" land use category. The Carpenter-Hawthorne-Ridgeway-Sycamore-Truax Neighborhood Plan, adopted in 2001, does not recommend a more specific use for this property.

**Environmental Corridor Status:** This property is not located in a mapped environmental corridor.

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

**Zoning Summary:** Existing R2 (Single-Family Residence District) zoning.

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	6,000 sq. ft.	7,672 sq. ft. +
Lot width	50'	53' and 54'
Usable open space	1,000 sq. ft	TBD
Front yard	30'	TBD
Side yards	6' each side	TBD
Rear yard	40'	TBD
Building height	2 stories	TBD

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	1	TBD

<b>Other Critical Zoning Items</b>	
Urban Design	No
Flood Plain	No
Utility Easements	No
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>	

## **Project Review, Analysis & Conclusion**

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The applicant has submitted a Certified Survey Map (CSM) for the division of one residential lot into two residential lots at 1421 MacArthur Road. The submittal and review by the Plan Commission fulfills a condition of approval for an October 2008 request to rezone the property from R1 to R2.

### *Previous Approvals*

In October 2008, the Plan Commission approved a rezoning of the subject property from R1 to R2 on the condition that a CSM be prepared, approved by the Plan Commission and recorded prior to the rezoning taking place. The CSM submitted fulfills that condition. In addition, the Plan Commission also placed a condition that future plans developed for a new home would be reviewed by Planning Division staff for consistency with the development pattern in the neighborhood.

### *Existing Conditions*

The subject site is 1421 MacArthur Road, located on the northeast side of MacArthur Road between East Washington Avenue and MacArthur Court in R1 Single-Family Residence district zoning. The property is an approximately 16,200 square-foot (0.37 acre) site with a 107-foot frontage along MacArthur Road. An existing 640 square-foot single-family home constructed in 1937 and a small detached garage sit in the southeastern half of the lot, while the northwestern half is undeveloped greenspace with trees. The immediately adjacent property to the east has a two-family home, but the subject property is otherwise surrounded by single-family homes to the north, west, and east. Across MacArthur Road to the south is a collection of commercial buildings and surface parking lots zoned C2, General Commercial District.

### Description of Proposal

Lot 1 as proposed is a 7,464 square foot lot with a 50 foot frontage on MacArthur Road. Lot 2 as proposed is slightly larger, at 8,044 square feet with a 57 foot frontage. The existing house meets the lot requirements for the R2 District as it sits on Lot 1. Lot 2 would be created to accommodate future construction of a new single-family home conforming to the requirements for the R2 District, although no plans for the future home have been submitted for review.

### Conformance with Adopted Plans

Following a land division and rezoning from R1 to R2, the properties would still conform to the Comprehensive Plan recommendation for low-density residential (LDR) as the land use in this area. The current residential density on the lot is 2.7 units per acre, while the future residential density on the two lots would be 5.4 units per acre, both of which are well below the 16-unit/acre upper limit for developments in LDR Districts articulated in the Comprehensive Plan. The Carpenter-Hawthorne-Ridgeway-Sycamore-Truax Neighborhood Plan, adopted in 2001, does not recommend a more specific future use for this parcel.

### Consistency with Surrounding Neighborhood

Staff is unaware of any neighborhood or opposition to the proposed CSM at the time of this writing, and a quick review of the physical description of lots demonstrates that a division would be just as consistent with the neighborhood as would be the maintenance of the existing lot. Single-family lots with frontage on the 1300 and 1400 blocks of MacArthur Road range in width from 50 to 121 feet, and have an average width of 77 feet. The subject lot is currently wider than most residential lots in the immediate area, and its division as proposed would create two lots narrower than most others, although still within the existing range of widths.

As long as a single-family home built on the new lot in the future generally conforms to the range of others in the area, the rhythm of the block and overall character of the neighborhood can be maintained. In a fall 2008 request to rezone the property, the applicant indicated the intent to construct an 800-1,200 square-foot home in the future. At that time they did not submit detailed plans for the house, and those are still unavailable for review. When approving the rezoning on October 28, 2008, the Common Council stipulated that plans for a new home be reviewed by Planning Division staff prior to the issuance of building permits. This condition is again recommended below.

### Conclusion

The proposed division of property at 1421 MacArthur Road into two lots for the maintenance of an existing single-family home and future development of a new single-family home is consistent with adopted plans, and the development pattern of the surrounding neighborhood. The Planning Division recommends that the Plan Commission find that the standards for land divisions met with this request and **approve** the two-lot Certified Survey Map of property located at 1421 MacArthur Road subject to input at the public hearing and conditions from reviewing agencies.

## **Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission find that the standards for land divisions met with this request and forward the request to the September 1 meeting of the Common council with a recommendation to **approve** the two-lot Certified Survey Map, subject to input at the public hearing and the following conditions:

### **Planning Division** (Contact Heather Stouder, 266-5974)

1. Prior to obtaining a building permit, the applicant will submit the plans for a new residential structure on the lot for review by Planning Division Staff. Any new residential structure must uphold the general character of the neighborhood.

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

2. Elevations shown on the CSM indicate drainage collects at the NE (rear) corner to the lot (despite arrows indicating discharge to MacArthur). Water from any new development shall be required to be discharged to the public right-of-way.
  3. Each lot shall be served by a separate sanitary sewer lateral.
  4. Identify exact location of existing sanitary lateral to verify existing lateral does not occupy any part of the proposed Lot 2.
5. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map:
    - a) Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
    - b) All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the certified survey. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

**Note:** In the event of a City of Madison Plan Commission and/or Common Council approved redivision of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and replaced by those required and created by the current approved subdivision.

**Information to Surveyor:** In addition to notes such as this, Wisconsin State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown,

dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

6. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/CSM the applicant shall contact Janet Dailey (608) 261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division 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. 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 or CSM. **Note: Land tie to two PLS corners required**
8. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to Engineering 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. Transmit to [epederson@cityofmadison.com](mailto:epederson@cityofmadison.com)

**Parks Division** (Contact Tom Maglio, 266-6518)

9. The developer shall pay park fees for 1 single-family unit, totaling \$3,122.65 for park dedication and development.

fee in lieu of dedication =	\$2,211.00
<u>park development fees =</u>	<u>\$ 911.65</u>
total fees =	\$3,122.65

10. The developer must select a method for payment of park fees before signoff on the CSM.
11. 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)

12. A new water service lateral connected to the public water main will be needed to serve proposed Lot 2.
13. In accordance with Madison General Ordinance 13.21, all operating private wells shall be identified and permitted by the Water Utility, and all unused private wells shall be abandoned.
14. This property is not in a Wellhead Protection District.

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

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

**Fire Department** (Contact Scott Strassburg, 261-9843)

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

**Traffic Engineering Division** (Contact John Leach, 267-8755)

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

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

This agency did not submit a response for this request.