



PREPARED FOR THE PLAN COMMISSION

Project Address: 511 S Ingersoll Street
Application Type: Zoning Map Amendment and Certified Survey Map Referral
Legistar File ID # [68647](#) and [68198](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant: Eric Welch; 1341 Spaight Street; Madison.

Property Owner: BJV Olson Properties; 1600 Calico Court; Sun Prairie.

Requested Actions: Approval of a request to rezone 511 S Ingersoll Street from TR-C4 (Traditional Residential–Consistent 4 District) to PD (Planned Development District) and approval of a General Development Plan, Specific Implementation Plan, and Certified Survey Map creating two residential lots and one lot for an institutional use.

Proposal Summary: The applicant is requesting approvals to divide an approximately 99-foot wide and 132-foot deep parcel containing a two-story tall church at 1103 Jenifer Street and a two-story single-family residence at 511 S Ingersoll Street into three lots, including one each for the existing structures and one lot that will be developed with a second residential building. Due to the nature of the existing improvements and the size of the proposed lots, PD zoning is requested. The applicant wishes to record the Certified Survey Map (CSM) dividing the property in three as soon as all regulatory approvals have been granted; there is no timeline for when construction on Lot 3 of the CSM will occur.

Applicable Regulations & Standards: The approval process and standards for the Planned Development district is outlined in Section 28.098 of the Zoning Code. Section 28.182 of the Zoning Code provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

Review Required By: Urban Design Commission, Plan Commission, and Common Council.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00530 and 28.022–00531, rezoning 511 S Ingersoll Street from TR-C4 to PD and approving a General Development Plan, Specific Implementation Plan, and Certified Survey Map creating three lots, to the Common Council with recommendations of **approval** subject to input at the public hearing, the recommendation of the Urban Design Commission, and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: An approximately 13,157.2 square-foot (0.3-acre) parcel located at the southeasterly corner of Jenifer Street and S Ingersoll Street; Aldermanic District 6 (Benford); Third Lake Ridge Historic District; Madison Metropolitan School District.

Existing Conditions and Land Use: A two-story tall church at 1103 Jenifer Street and a two-story single-family residence at 511 S Ingersoll Street, zoned TR-C4 (Traditional Residential–Consistent 4 District).

Surrounding Land Uses and Zoning: The subject site is primarily surrounded by single- and two-family residences zoned TR-C4 (Traditional Residential–Consistent 4 District). The site is approximately one block north of Orton Park.

Adopted Land Use Plans:

The 2018 Comprehensive Plan recommends the subject site and most of the surrounding Marquette neighborhood for Low-Medium Residential (LMR) development. Map Note 4 on the Generalized Future Land Use Maps states that “the “house-like” residential character of the LMR area should be retained, and any limited redevelopment should generally maintain the current single-family/two-flat/three-flat development rhythm.”

The subject site is also located with the 1994 Marquette Neighborhood Plan area, which includes no specific land use recommendations for the subject site. However, preservation of the neighborhood’s historic structures, continued maintenance of existing housing stock, renovation of existing structures, and redevelopment of underutilized properties to increase the housing stock are all included as general housing recommendation in the plan. The plan also recommends that new construction be compatible with the surrounding environment in terms of bulk, scale, and style of nearby buildings to ensure that the architectural and historical character of the neighborhood is retained.

Zoning Summary: The site is zoned PD, which will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Urban Design (PD zoning), Landmarks (Third Lake Ridge Historic Dist.), Utility Easements, Barrier Free
No:	Floodplain, Wellhead Protection, Waterfront Development, Adjacent to Park
<i>Prepared by: Jacob Moskowitz, Asst. Zoning Administrator</i>	

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

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

Project Description

The applicant is requesting approval of a request to rezone 511 S Ingersoll Street from TR-C4 (Traditional Residential–Consistent 4 District) to PD(GDP-SIP) zoning to facilitate the division of the approximately 0.3-acre parcel into three lots by Certified Survey Map (CSM).

The subject parcel is located at the southeasterly corner of S Ingersoll and Jenifer Streets and is developed with a two-story tall place of worship (Capital City Sanctuary COGIC) at 1103 Jenifer Street and a two-story single-family residence at 511 S Ingersoll Street. The proposed CSM will create individual lots for both of the existing buildings, with the place of worship to be located on a 61.15-foot by 86.7-foot (5,299 square-foot) Lot 1 and the residence on a 46-foot by 61.12-foot (2,811 square-foot) Lot 2. As shown on the CSM dated January 12, 2022, the place of worship will be located approximately 7 feet from the proposed northeasterly lot line and 9.8 feet from Lot 2 to the southeast.

In addition, the CSM proposes a third lot fronting onto Jenifer Street to accommodate an additional residential building to be located between the place of worship and northeasterly property line shared with a two-family

residence at 1111 Jenifer Street. Lot 3 is proposed as a 38-foot wide, 132-foot deep (5,040 square-foot) parcel. The land comprising proposed Lot 3 is currently vacant and used by the place of worship on proposed Lot 1.

Specific plans for Lot 3 are not known at this time. The applicant has previously expressed interest in relocating an existing building to the property, but may also pursue new construction on that parcel. Ordinarily, detailed development plans would accompany a request for a PD zoning district. However, in this case, the subject site and surrounding properties are located in the Third Lake Ridge Historic District, as governed by MGO Chapter 41, the Historic Preservation Ordinance. As such, any construction on or building relocation to Lot 3 of the CSM will require approval of a Certificate of Appropriateness by the Landmarks Commission prior to issuance of permits for either new construction or relocation. Landmarks Commission approval would also be required for any changes to the existing place of worship on Lot 1 and residence on Lot 2.

The uses permitted in the zoning text for the proposed PD district default to the allowed uses in the TR-C4 district, which include single-family residences, two-family residences (flats or side-by-side duplexes), three-family residences, and certain group living arrangements. Setbacks for Lot 3 will be set back 15 feet from the Jenifer Street property line and 20 feet from the rear line. Of note, the proposed text does not include minimum usable open space or maximum building coverage provisions. The zoning text, however, anticipates that Landmarks Commission approval will be required for any new construction, additions, or exterior alterations on the three proposed lots.

While Planning and Zoning staff are generally in agreement with the broad parameters proposed in the zoning text, staff will work with the applicant prior to recording of the PD zoning and CSM to refine and clarify the text. For reference, a version of the applicant's zoning text revised by Planning and Zoning staff is attached, which reflects some of the revisions staff feels are necessary to adequately govern this PD district. The language in the staff-proposed text includes more specific bulk regulations as well as the design review provisions recommended by the Urban Design Commission when they reviewed the proposed PD district at their December 15, 2021, when the project was recommended for **final** approval. The report from that meeting is also attached to the files for this project.

Analysis and Conclusion

The three lots proposed will not meet the bulk or area requirements for new lots in the existing TR-C4 district, which requires that single-family residences be located on lots that are a minimum 40 feet wide, 100 feet deep, and 4,000 square feet in area. Likewise, the place of worship or any other non-residential use allowed in the TR-C4 district is required to be located on a lot that is a minimum 40 feet wide, 100 feet deep, and 4,800 square feet in area. Additionally, 20-foot front yards, rear yards equivalent to 30% of lot depth up to 30 feet, and 6- to 12-foot side yards are required in the TR-C4 district, which also caps lot coverage at 65%. In addition to not meeting the lot design and bulk requirements of the TR-C4 district, staff is unaware of another conventional zoning district that could accommodate the lots proposed by the CSM, thereby requiring PD zoning to provide the zoning framework to make division of the parcel and proposed infill development possible. There are no pre-determined bulk or area requirements in a PD district, which is instead governed by a zoning text specifically tailored to the proposed planned development.

The proposed rezoning is subject to standards and process for Planned Development Districts in Section 28.098 of the Zoning Code, as well as the process for zoning map amendments in Section 28.182. In order to approve the zoning map amendment, the Common Council shall find that the zoning map amendment is *consistent with* the

City's Comprehensive Plan as required by Chapter 66.1001(3) of Wisconsin Statutes. "Consistent with" is defined as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

The Planning Division believes the Plan Commission may find that the proposed Planned Development meets the standards for approval, including the standards for the PD district in Section 28.098 of the Zoning Code. Likewise, staff also believes that the standards for approval for the three-lot CSM are also met subject to approval of the PD zoning.

Per its statement of purpose, the Planned Development (PD) district is established to provide a voluntary regulatory framework as a means to facilitate the unique development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural, and economic considerations, and that features high-quality architecture and building materials. In addition, the Planned Development zoning district is intended to encourage sustainable development; promote integrated land uses allowing for a mixture of residential, commercial, and public facilities along corridors and in transitional areas, with enhanced pedestrian, bicycle and transit connections and amenities; preserve and enhance environmental features through careful and sensitive placement of buildings and facilities; provide more adequate, usable, and suitably located open space, recreational amenities, and other public facilities than would otherwise be provided under conventional land development techniques; and facilitate high-quality development consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans. The PD district is intended only for use in situations where none of the base zoning districts address the type of development or site planning proposed.

The 2018 Comprehensive Plan recommends the subject site and most of the surrounding Marquette neighborhood for Low-Medium Residential (LMR) development. Map Note 4 on the Generalized Future Land Use Maps states that "the "house-like" residential character of the LMR area should be retained, and any limited redevelopment should generally maintain the current single-family/two-flat/three-flat development rhythm." The subject site is also located with the 1994 Marquette Neighborhood Plan area, which includes no specific land use recommendations for the subject site. However, preservation of the neighborhood's historic structures, continued maintenance of existing housing stock, renovation of existing structures, and redevelopment of underutilized properties to increase the housing stock are all included as general housing recommendation in the plan. The plan also recommends that new construction be compatible with the surrounding environment in terms of bulk, scale, and style of nearby buildings to ensure that the architectural and historical character of the neighborhood is retained.

In the case of the subject site, Planning staff feels that the proposed PD district will allow for the vacant land adjacent to the place of worship and adjacent to the rear of the existing residence to be infilled in a manner that could not be reasonably developed under base/conventional zoning district requirements consistent with PD standard 1b. Staff also feels that the Plan Commission may also find that the proposed PD district facilitates the development goals in the Comprehensive Plan and adopted neighborhood plans. While the CSM proposes a unique lot pattern not often seen by the Plan Commission, the proposed lots will be similar in character to other lots nearby, including Lot 2, which will be comparable in size and lot coverage to a handful of other lots located nearby along S Ingersoll Street in its 400- and 500-blocks, including three directly across the street. Meanwhile, proposed Lot 3 will be slightly larger in width and area than most of the other lots in the 1100-block of Jenifer Street, which are predominantly 33 feet wide and 132 feet deep compared to the 38 feet by 132 feet proposed by the subject CSM.

In addition to the Urban Design Commission’s review of the proposed PD district on December 15, 2021, an earlier version of the CSM was previously issued a Certificate of Appropriateness by the Landmarks Commission on August 5, 2021. The Landmarks Commission approved the revised January 12 version of the CSM, the demolition of a detached garage, and a new accessible ramp for 1103 Jenifer Street at its January 10, 2022 meeting.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00530 and 28.022–00531, rezoning 511 S Ingersoll Street from TR-C4 to PD and approving a General Development Plan, Specific Implementation Plan, and a Certified Survey Map creating three lots, all to the Common Council with recommendations of **approval** subject to input at the public hearing, the recommendation of the Urban Design Commission, the following Planning Division condition(s), and conditions from reviewing agencies:

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

Urban Design Commission

The Urban Design Commission recommended **final approval** of the proposed Planned Development district on December 15, 2021 subject to the final administrative approval of new construction in the district by the Secretary or Commission following Landmarks Commission approval.

Planning Division

1. The applicant shall work with Planning and Zoning staff on the final form and contents of the zoning text prior to final approval and recording of the PD zoning and Certified Survey Map. The final zoning text shall include the final design review process recommended by the Urban Design Commission on December 15, 2021.

The following conditions have been submitted by reviewing agencies:

City Engineering Division (Contact Brenda Stanley (608) 261-9127)

2. Each proposed lot shall have a separate sanitary sewer lateral or have a recorded ownership/ maintenance agreement for any proposed shared sanitary sewer lateral.
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Please contact Mark Moder ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
4. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (bstanley@cityofmadison.com) 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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

City Engineering Division–Mapping Section (Contact Jeff Quamme, (608) 266-4097)

5. The CSM shall show and label the existing Joint Driveway Easement over the northeast 4 feet of Lot 3 and over the southwest 4 feet of the property to the northeast as per Document Nos. 414513, 724050 and 4590558.
6. It appears as pedestrian access will be over a part of Lot 2 for the ramp located on Lot 1. If so, immediately after the CSM has been recorded a pedestrian access easement / agreement shall be recorded and a recorded copy provided.
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 the applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com).
8. Prior to City Engineering Division final sign-off by main office for CSMs, the final CSM submitted by email transmittal in PDF format must be to Jeff Quamme, Engineering Land Records Coordinator (jrquamme@cityofmadison.com), for final technical review and approval. This submittal must occur a minimum of two working days prior to final City Engineering Division sign-off.
9. Provide a bearing on the northeast line of Lot 2.
10. Correct the document number for Farwell's Replat to Document No. 106.
11. Correct the overall quarter line distance to 2629.61 per measured coordinates. Adjust any ties to the CSM accordingly.
12. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal.

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

13. The applicant shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4450)

14. Work with Planning and Zoning staff to finalize the PD (GDP-SIP) zoning text for the project.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

15. The proposed property line between Lot 1 and Lot 2 shall not create a Building Code violation as it relates to fire separation distances. Confirm/construct the wall of the existing garage shown on Lot 1 to the required fire rated walls and limit of openings.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

This agency has reviewed this request and recommended no conditions of approval.

Parks Division (Contact Kathleen Kane (608) 261-9671)

16. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)) will be required for all new residential development associated with this project. The following note should be included on the CSM: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."

Forestry Section (Contact Brad Hofmann, (608) 267-4908)

This agency has reviewed this request and recommended no conditions of approval.

Water Utility (Contact Jeff Belshaw (608) 261-9835)

17. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right of way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

Office of Real Estate Services (Heidi Radlinger, (608) 266-6558)

18. Prior to final approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of Office of Real Estate Services (ORES) approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

19. A Certificate of Mortgagee for Bank of Sun Prairie needed as referenced in title commitment.

20. If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.

21. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and executed prior to CSM sign-off.

22. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.

23. 2021 real estate taxes are owed for the subject property. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.
24. There are special assessments reported on the subject parcel(s). Special assessments shall be paid in full pursuant to MGO Section 16.23(5)(g)1.
25. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger, as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. The surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
26. The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.