



PREPARED FOR THE PLAN COMMISSION

Project Address: 5006 Hammersley Road (District 10 – Alder Henak)
Application Type: Zoning Map Amendment and Certified Survey Map
Legistar File ID # 58782 & [59305](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Edward Linville; Linville Architects LLC; 408 East Wilson Street; Madison WI, 53703

Owner: Robert Keller; 448 W. Washington Avenue; Madison, WI 53703

Requested Action: The applicant requests approval of a zoning map amendment changing the zoning of a parcel at 5006 Hammersley Road from SR-C1 (Suburban Residential – Consistent 1 District) and SR-V2 (Suburban Residential – Variable 2 District) to SR-C1 (Suburban Residential – Consistent 1 District) and SR-C3 (Suburban Residential – Consistent 3 District) and approval of a Certified Survey Map to create two new lots.

Proposal Summary: The applicant proposes to create two lots via Certified Survey Map from a vacant lot at 5006 Hammersley Road and approve a zoning map amendment for said lots to construct a single-family residence and a two-family twin residence.

Applicable Regulations & Standards: This proposal is subject to the standards for Zoning Map Amendments [§28.182(5) M.G.O.]. M.G.O. §16.23(5)(g) describes process and standards for Certified Survey Maps.

Review Required By: Plan Commission, Common Council

Summary Recommendation: The Planning Division recommends the Plan Commission find that the approval standards for zoning amendments can be met and that it forward Zoning Map Amendments Section 28.022 – 00425 to change the zoning of property located at 5006 Hammersley from SR-C1 (Suburban Residential – Consistent 1 District) and SR-V2 (Suburban Residential – Variable 2 District) to SR-C1 (Suburban Residential – Consistent 1 District) and SR-C3 (Suburban Residential – Consistent 3 District) and the associated Certified Survey map with a recommendation to **approve**. These recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies in this report.

Background Information

Parcel Location: The 25,792-square-foot (0.59-acre) subject property is located on the north side of Hammersley Road, immediately east of Whitcomb Drive. The site is in Aldermanic District 10 (Alder Henak) and is within the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is currently vacant and zoned SR-C1 (Suburban Residential – Consistent 1 District) and SR-V2 (Suburban Residential – Variable 2 District). A one-story single-family house previously on the property was demolished in 2018.

Surrounding Land Use and Zoning:

North: Single-family homes zoned SR-C1 (Suburban Residential – Consistent 1 District) and 16-24 unit apartment buildings zoned (SR-V2 (Suburban Residential – Variable 2 District);

South: Across Hammersley Road, single-family homes zoned SR-C1;

East: Across Whitcomb Drive, single-family homes zoned SR-C1; and

West: Single-family homes zoned SR-C1.

Adopted Land Use Plan: The [Comprehensive Plan](#) has a Low Residential land use recommendation for the subject site. The subject site is not within any adopted neighborhood plan.

Zoning Summary: The property is zoned SR-C1 (Suburban Residential – Consistent 1 District) and SR-V2 (Suburban Residential – Variable 2 District).

Requirements	Required SR-C1	Proposed SR-C1	Required SR-C3	Proposed SR-C3
Lot Area (sq. ft.)	8,000	11,867	8,000 sq ft	13,925
Lot Width	60 ft	85 ft	50 ft	90 ft
Front Yard Setback	30 ft	37 ft	25 ft	33 ft
Side Yard Setback	6 ft	9 ft	5 ft	8 ft, 14 ft
Reverse Corner Side Yard Setback	15 ft	44 ft	N/A	N/A
Rear Yard Setback	35 ft	38 ft	35 ft	48 ft
Usable Open Space	1,300 sq ft	5,176 sq ft	1,500 sq ft	6,085 sq ft
Maximum Lot Coverage	50%	20%	60%	35%
Maximum Building Height	2 stories/35 ft	1 story	2 stories/35 ft	1 story

Site Design	Required SR-C1	Proposed SR-C1	Required SR-C3	Proposed SR-C3
Number Parking Stalls	1	1	2	3 (A.)
Accessible Stalls	0	0	0	1 (A.)
Number Bike Parking Stalls	1	1	2	2
Building Forms	Yes	Single-family	Yes	Two-family twin

Other Critical Zoning Items	Utility Easements
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Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

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

Project History

A demolition permit for a single-family residence previously on the property with no proposed future use was approved by the Plan Commission on January 8, 2018. The residence was razed in later in late spring 2018. In April 2019, the applicant submitted an application (Legislative ID [55460](#) & [55829](#)) to rezone the property and construct a two-story four-unit apartment building. At its June 10, 2019 meeting, the Plan Commission voted to place the proposal on file without prejudice.

Project Description

The applicant proposes to subdivide the land at 5006 Hammersley and rezone it to enable construction of a single-family residence and two-family twin residence on separate lots. A single-family house previously on this site was razed in 2018.

The submitted Certified Survey Map request proposes to divide a parcel of land including Lot 8 of the 1st Addition to Orchard Ridge (5006 Hammersley Road) and a portion of Lot 2 of Whitcomb Square (4909 Whitcomb Drive), which includes the 16-unit apartment building immediately north of 5006 Hammersley Road. The portion of Lot 2 of Whitcomb Square is a long sliver currently separating 5006 Hammersley Road from the Whitcomb Drive right-of-way. The CSM would divide this land into two lots. The southern Lot 1 is proposed to be 11,867 square feet and the northern Lot 2 is proposed to be 13,925 square feet. Both lots are proposed to have frontage on and take access from Whitcomb Drive.

The applicant's requested zoning map amendment proposes to rezone the southern lot (proposed Lot 1) to SR-C1 and the northern lot (proposed Lot 2) to SR-C3. The applicant proposes to construct a new single-family residence on Lot 1 and a two-family twin residence on Lot 2. Both buildings would be permitted uses under the proposed zoning districts. The submitted site plans and building details show a two-bedroom, two-bathroom, one-story single-family residence with a one-stall attached garage on Lot 1. Lot 2 is proposed for a one-story two-family twin with a pair of one-stall garages between the units. Each unit also has two bedrooms and two bathrooms. Each building has a hipped roof with architectural asphalt shingles and is clad in brick, stucco, and lap siding. Each unit fronts on Whitcomb Drive. The two-family twin units share a driveway and the single-family residence has its own.

Project Analysis

This proposal is subject to the standards for Zoning Map Amendments [§28.182(5) M.G.O.] and Certified Survey Maps [§16.23(5) M.G.O.]. This section begins with an analysis of the proposals conformance with adopted plans before reviewing the standards for zoning map amendments and certified survey maps.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel. The plan states that LR areas are predominantly made up of single-family and two-unit structures and is generally limited to two-stories and no more than 15 dwelling units per acre. The site is not located within any neighborhood or special area plans.

Zoning Map Amendment Standards

The Zoning Map Amendment standards, found in 28.182(6), M.G.O. state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the [Comprehensive Plan](#), and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's [Comprehensive Plan](#). 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan." 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." As describe above, staff believes that the request and its uses are consistent with the land use recommendations for this area in the [Comprehensive Plan](#), which indicates that one- and two-family residences are the primary building type in Low Residential (LR) areas.

Land Division

The proposed lots appear to conform to minimum zoning standards and the land division standards of M.G.O. §16.23(5) with the comments recommended below by reviewing agencies.

Public Input

At the time of report writing, Staff has received one item of public comment regarding the proposal, which has been included with the Plan Commission materials.

Conclusion

The Planning Division believes that the proposal is consistent with adopted plans and can be found to meet the zoning map amendment standards of 28.182(6), M.G.O. Further, the lots appear to conform to minimum zoning standards and the land division standards of §16.23(5) M.G.O. with the comments recommended below by reviewing agencies.

Recommendation

Planning Division Recommendation (Contact Colin Punt, (608) 243-0455)

The Planning Division recommends the Plan Commission find that the approval standards for zoning amendments can be met and that it forward Zoning Map Amendments Section 28.022 – 00425 to change the zoning of property located at 5006 Hammersley from SR-C1 (Suburban Residential – Consistent 1 District) and SR-V2 (Suburban Residential – Variable 2 District) to SR-C1 (Suburban Residential – Consistent 1 District) and SR-C3 (Suburban Residential – Consistent 3 District) and the associated Certified Survey map with a recommendation to **approve**. This recommendation is subject to input at the public hearing and the following conditions.

Recommended Conditions of Approval - Zoning

Major/Non-Standard Conditions are Shaded

Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4560)

1. On the Proposed Utility and Fire Plan, the two-family twin plan shows a total of 3 driveways. Remove one of the driveways so that each unit has only 1 driveway serving it per Sec. 28.142(9)(d).

Engineering Division (Contact Tim Troester, (608) 267-1995)

2. Each lot shall have a separate sanitary sewer lateral.

3. There is an enclosed depression in the rear of the existing lot. A 15' public easement shall be provided along the West property line of this lot from the front to the back of lot. As part of new development plan for the site it will be required to provide drainage from N to South through this easement to Hammersley Road. Provide grading or storm sewer plan to show how this will be drained. No elevation changes for this property will be allowed without prior approval of the City Engineer.

4. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)

5. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.

6. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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

7. Provide a draft of the separate document setting forth terms, conditions and restrictions for the 15' Wide Private Sanitary Sewer Easement for the benefit of Lot 1 as shown on the pending Certified Survey Map. The easement agreement shall be recorded immediately after the CSM and prior to final site plan approval of either Lot.
8. The Public Utility Easement to be released per the pending Certified Survey Map shall be released by all Utilities serving the area and the City of Madison. See the related comment for the review of the Certified Survey Map for additional information.
9. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.

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

10. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
11. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
12. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
13. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
14. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
15. The applicant shall construct sidewalk along Hammersley Road according to plan approved by the City Engineer.

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

16. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org/building-residential-fire-sprinklers>

Parks Division (Contact Sarah Lerner, (608) 261-4281)

17. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park -Infrastructure Impact Fee district. Please reference ID# 19028 when contacting Parks about this project.

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

18. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

Dwellings shall have separate water services, curb stops, lines and meters. The water service may be split in the terrace, with separate curb stops, lines and meters.

A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Water Utility (Contact Tim Sobota, (608) 261-4289)

19. In coordination with public works improvements and new sidewalk installation along the north side of Hammersley Road extending west of Whitcomb Drive, the applicant shall install and maintain a concrete boarding pad surface at the planned Metro bus stop on the north side of Hammersley Road, west of Whitcomb Drive.

20. Metro Transit currently operates daily transit service along Hammersley Road through the Whitcomb Drive intersection.

Recommended Conditions of Approval - CSM

Major/Non-Standard Conditions are Shaded

Engineering Division (Contact Tim Troester, (608) 267-1995)

1. Each lot shall have a separate sanitary sewer lateral.
2. There is an enclosed depression in the rear of the existing lot. A 15' public easement shall be provided along the West property line of this lot from the front to the back of lot. As part of new development plan for the site it will be required to provide drainage from N to South through this easement to Hammersley Road. Provide grading or storm sewer plan to show how this will be drained.
3. 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). (POLICY)
4. The text for intra-block drainage easements per Madison General Ordinance 16.23(9)(d)2 (a. & b.) shall be included on the final CSM.
5. Add a note to the CSM: No change in grades shall be allowed without the approval of the City Engineer.

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

6. Any portion(s) of a public utility easements that are intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required. Applicant shall be responsible to provide copies of the recorded releases of the easement by the other utilities serving this area.
7. Provide a draft of the separate document setting forth terms, conditions and restrictions for the 15' Wide Private Sanitary Sewer Easement for the benefit of Lot 1. Add the word "Private" to the description of the easement on the CSM. The easement agreement shall be recorded immediately after the CSM and prior to final site plan approval on any Lot within this CSM.
8. For the Public Utility Easements granted by the CSM, the note shall include the following text: Utility easements as herein set forth are for the use of PUBLIC BODIES and PRIVATE PUBLIC UTILITIES having the right to serve the area.
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 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)
10. The CSM shall be tied to a Quarter line as required by 23.20(3)(b) of the Wisconsin statutes. Revise the legal description accordingly.
Also, the Applicant shall reference the CSM to City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Certified Survey Map. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address

<https://www.countyofdane.com/PLANDEV/records/surveyor.aspx>) for current tie sheets and control data that has been provided by the City of Madison.

11. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
12. Provide all "recorded as" data on all exterior boundaries of the Certified Survey Map.
13. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, 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 plat:
 - a) Right-of-Way lines (public and private)
 - b) Lot lines
 - c) Lot numbers
 - d) Lot/Plat dimensions
 - e) Street names
 - f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

Parks Division (Contact Sarah Lerner, (608) 261-4281)

14. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park -Infrastructure Impact Fee district. Please reference ID# 19028 when contacting Parks about this project.
15. 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."
16. Prior to sign off on the CSM the applicant shall execute a declaration of conditions and covenants for impact fees.

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.