

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
April 11, 2006

RE: I.D. #03402, Demolition Permit – 5379 Park Way

1. Requested Action: Approval of a demolition permit for a single-family residence at 5379 Park Way.
2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION:

1. Applicant & Property Owner: Rick McKy; 6902 Old Sauk Road; Madison.
2. Development Schedule: The applicant wishes to begin demolition as soon as all necessary approvals have been obtained.
3. Parcel Location: An approximately 8,114 square-foot parcel located approximately 200 feet west of Oak Crest Avenue on the south side of Park Way; Aldermanic District 19; Madison Metropolitan School District.
4. Existing Conditions: The site is developed with an existing single-family residence, zoned R2 (Single-Family Residence District).
5. Proposed Use: A new single-family residence.
6. Surrounding Land Use and Zoning: The subject site is generally surrounded by other single-family residences in R2 (Single-Family Residence District) zoning, with Glen Oak Hills Park immediately adjacent to the west of the property and public boulevard to the south.
7. Adopted Land Use Plan: The Comprehensive Plan identifies this area for low-density residential uses.
8. Environmental Corridor Status: This property is not located within a mapped environmental corridor. The public parklands to the west and the south are identified on the corridor maps, as is a perennial stream that extends through those public parklands.
9. Public Utilities & Services: This property is served by a full range of urban services

STANDARDS FOR REVIEW:

This application is subject to the demolition standards of Section 28.04 (22).

ANALYSIS, EVALUATION AND CONCLUSION:

The applicant is requesting approval of a demolition permit to demolish an existing one-story, approximately 768 square-foot single-family residence located 200 feet west of Oak Crest Avenue on the south side of Park Way. City records indicate the house was built in 1950. The property is an approximately 62-foot wide and 129-foot deep lot located in an area developed with single-family residences in R2 (Single-Family Residence District) zoning. The subject property slopes gradually from the northeast to the southwest towards an intermittent stream located south and west of the site in Glen Oak Hills Park, which abuts the property to the west. Additional City greenspace is located adjacent to the southern edge of the site in the boulevard of Kenosha Drive. The residence is set back approximately 30 feet from the front property line.

Plans submitted with the demolition request propose construction of a new two-story single-family residence with attached two-car garage. The new residence will contain three bedrooms and 2.5 bathrooms and will have an exposed basement level along the west and south sides. A setback of 30 feet is proposed from the front property line (as measured to the front wall of the garage), with a 53-foot setback from the rear property line. The residence appears sited so as to avoid most of the mature vegetation located in the rear portion of the property. The new building will be faced with 4-inch vinyl siding and will feature a multi-tiered cross-gable roof.

The subject site is the western of four lots created by Certified Survey Map in February 2005 following administrative approval by the City. Previously, this lot and the house were part of a 0.7-acre tract of land that extended along the south side of Park Way east to Oak Crest Avenue. New single-family residences were constructed on the three other lots created by the CSM. The residence on the subject site will be architecturally similar to these three other new residences to the east.

The Planning Unit has not inspected the inside of the residence to be demolished but believes the house to be in poor to average condition based on photos provided by the applicant. The photos appear to show evidence of dilapidated exterior siding, damaged and worn interior surfaces, and rotted and outmoded windows. Staff is not opposed to the demolition of this home, which will be replaced by a new structure that should be more economically viable over the long term than the existing residence.

A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of wrecking permit.

RECOMMENDATION

The Planning Unit recommends that the Plan Commission find that the demolition standards are met and **approve** demolition of single-family residence at 5379 Park Way subject to input at the public hearing and comments from reviewing agencies.

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: April 6, 2006

To: Plan Commission

From: Kathy Voeck, Assistant Zoning Administrator

Subject: 5379 Park Way, Demolition

Present Zoning District: R-2

Proposed Use: Demolish existing house, construct a new house

Conditional Use: 28.04(22) Demolition of a principal bldg. requires Plan Com approval.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

- The final plan for sign off shall be to scale. (Note: the faxed copy is not to scale.)

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	8,114 sq. ft.
Lot width	50'	62.38'
Usable open space	1,000 sq. ft.	adequate
Front yard	30'	30'
Side yards	8' left, 7' right	8' 3" left, 7' 2.25" right
Rear yard	40'	53'
Building height	2 stories/35'	2 stories/22.5'

Site Design	Required	Proposed
Number parking stalls	1	2

Other Critical Zoning Items	
Flood plain	No
Utility easements	None shown

With the above conditions, the proposed project **does** comply with all of the above requirements.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
.608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: March 31, 2006
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 5379 Park Way Demolition

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

- 1. Applicant shall close abandoned driveway by restoring the terrace with grass.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.

Name: 5379 Park Way Demolition

General

- 1.1 The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

Right of Way / Easements

13



- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along _____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
- 3.8 The Applicant shall make improvements to _____ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) _____.
- 3.9 The Applicant shall make improvements to _____. The improvements shall consist of _____.
- 3.10 The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.

- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.

Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.5 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.6 The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
- 4.7 The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
- 4.8 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.9 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.10 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
 - Detain the 2 & 10-year storm events.
 - Detain the 2, 10, & 100-year storm events.
 - Control 40% TSS (20 micron particle).
 - Control 80% TSS (5 micron particle).
 - Provide infiltration in accordance with NR-151.
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.11 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.12 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.13 The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats and contain the following data, each on a separate layer name/level number:

- a) Building Footprints
- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines

13

- g) Lot numbers
- h) Lot/Plat dimensions
- i) Street names

NOTE: Email file transmissions preferred izenchenko@cityofmadison.com . Include the site address in this transmittal.

- 4.14 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicate a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.15 The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set.

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.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.16 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a) SLAMM DAT files.
- b) RECARGA files.
- c) TR-55/HYDROCAD/Etc...
- d) Sediment loading calculations

If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.

Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection

charges are due and payable prior to connection to the public sewerage system.

- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.



CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295
Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: April 5, 2006
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **5379 Park Way**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

2. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500-feet of at least one fire hydrant. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

Please contact John Lippitt, MFD Fire Protection Engineer, at 608-261-9658 if you have questions regarding the above items.

cc: John Lippitt

4/13/06

To Planning Commission:

IN RE: 5379 Parkway demolition and reconstruction
4/17/06 meeting

As a neighbor of an adjoining street, Oak Crest Place, I want to express my concern, not in regard to the demolition of said property, but for what will no doubt be the building of another large house as the three new adjacent ones that have already been constructed. Those of us in the neighborhood who have deep concern about the environment have found it hard to believe that building permits were even given for the back of these houses to be built so close to a city ravine/drainage area. Those homes constitute the first houses to be built on property abutting that city area. Since the yards slope down, any chemicals applied to those lawns will drain directly into the flowage that ends up in Lake Mendota.

Anyone familiar with the Glen Oak Hills area knows it to have older, smaller, and affordable homes. These new "starter castles" not only change the complexion of the neighborhood, but will also affect our property taxes because of the increased valuations. I've lived in my home 40 years and many have been here longer than that. We worry that a precedent is being set whereby all our smaller homes will be swallowed up by those that do not blend in. There are many cities across the country that have enacted new zoning laws in order to protect the older, especially one-story homes, from allowing neighbors to build 2+3 story homes next door. This may be a time that Madison should also consider it.

XB

Sincerely,
Patricia J. Seybold

Ms. Patricia J. Seybold
5332 Oak Crest Place
Madison, WI 53705-2742