

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
October 3, 2008**

RE: I.D. #12152, Conditional Use Permit – 637 South Shore Drive

1. Requested Action: Approval of a conditional use permit for a new garage exceeding 576 square feet at 637 South Shore Drive in R2 (Single-Family Residence District) zoning.
2. Applicable Regulations: Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses. Accessory buildings exceeding 576 square feet in R2 zoning are governed by Section 28.08(3)(c)(5).
3. Report Prepared By: Heather Stouder, AICP, Planner

GENERAL INFORMATION:

1. Applicant and Property Owner: Douglas Alexander; 637 S. Shore Dr. Madison, WI
2. Development Schedule: The applicant wishes to begin construction when all necessary approvals are obtained.
3. Parcel Location: A 7,032 square-foot parcel generally located on the southeast corner of South Shore Drive and Whittier Street; Aldermanic District 13; Madison Metropolitan School District.
4. Existing Conditions: The site is currently developed with a two-story single family home, and an existing detached garage of approximately 400 square feet with an attached screened porch of an additional 252 square feet. The parcel is zoned R2 (General Residence District).
5. Proposed Use: Construction of a new 735 square-foot, four-car garage on the western portion of the property. As proposed, the garage would be used for automobile storage and storage space.
6. Surrounding Land Use and Zoning:
 - North: Across South Shore Drive, access to Monona Bay
 - South: Single-family home (638 West Lakeside Street) zoned R2 (Single-family Residence District).
 - East: Single-family home (633 South Shore Drive) zoned R2 (Single-family Residence District).
 - West: Across Whittier Street, single-family homes (701 South Shore Drive and 910 Whittier Street) and a two-family home (702 West Lakeside Street) zoned R2 (Single-family Residence District).
7. Adopted Land Use Plan: The Comprehensive Plan identifies the area as LDR (Low Density Residential)
8. Environmental Corridor Status: This property is not located within a mapped environmental corridor, but does lie within the shoreland zoning area.
9. Public Utilities & Services: This property is served by a full range of urban services.

STANDARDS FOR REVIEW:

This application is subject to the conditional use standards of Section 28.12 (11).

ANALYSIS

The applicant is requesting approval for a conditional use to construct a 735 square foot garage, which exceeds the 576 square foot limit for permitted accessory buildings in R2 (Single-Family Residence District) zoning.

Existing Conditions

The subject site is 637 South Shore Drive, located on the southeastern corner of South Shore Drive and Whittier Street in R2 Single-Family Residence district zoning. The property is an approximately 7,032 square foot lot. A two-story single-family home sits on the northern portion of the lot facing South Shore Drive and Monona Bay, and the existing detached garage sits on the southern portion, facing west toward Whittier Street, largely out of view from South Shore Drive. The existing garage is approximately 400 square feet with a 250 square-foot screened porch attached to its north side. The existing garage is set back approximately 19 feet from the southern (rear) lot line and 10 feet from the eastern lot line. A concrete slab and sidewalk covering approximately 700 square feet lies between the screened porch and the home, and wraps around the rear of the existing garage. Surrounding properties include single-family and two-family homes on lots ranging from 5,400-7,800 square feet. Most have detached garages, some of which exceed the 576 square foot area limit permitted in R2 zoning districts.

The project would involve the removal of the existing garage, the attached screened porch, and the concrete slab to the north and east of the existing garage. As proposed, the existing driveway accessing the garage from Whittier Street would be enlarged to the south to allow access to the southern garage door. The proposal includes a 4 foot 7 inch addition to the existing curb cut as well.

As shown in submitted plans, the proposed garage would be located in the southeast corner of the lot. It would be set back approximately 102 feet from the northern property line facing South Shore Drive, 22 feet from the western property line facing Whittier Street, three feet from the eastern property line, and five feet from the southern property line. As proposed, the garage would be 25 feet deep, 30 feet wide, and just under 19 feet tall at its peak, with two garage doors facing Whittier Avenue. The first floor would accommodate two vehicles, along with some storage and workspace. The 415 square foot second story would be utilized for additional storage. A large portion of the elevation facing Whittier Street would have a stone exterior, and all other parts of the exterior would be covered with vinyl siding. Three small windows face Whittier Street to the west. Two windows and an access door are proposed for the north elevation facing toward the home, and two small windows are proposed on the eastern elevation.

EVALUATION

Significant considerations for this type of use are the affect on views from the street and neighboring properties, as well as changes to the amount of impervious surface on the parcel, especially a parcel this close to a major water body. Due to its position on the lot, the structure will not substantially affect views from South Shore Drive. From Whittier Street and the

properties to the west, the proposed garage will appear to be narrower and taller than the existing garage and screened porch taken together, and looks to be a superior building with regard to materials and detail as shown in submitted plans. The proposed garage is much closer that the existing garage to both the southern and eastern property lines. With minor changes, the proposed three-foot setback on the east side could easily be widened to six feet, keeping it in line with the side yard of the house. Staff believe that the five-foot setback on the south side is adequate, especially since it abuts the garage associated with the property to the south. Some concern has been expressed by the neighboring property owner to the south with regard to the possibility that a future owner may utilize the second story of the garage for uses other than storage. This is a valid concern, although the current zoning ordinance does not permit use of such a space for living quarters or business operation.

With regard to the amount of impervious surface on the site, staff believes that the project as proposed will result in an overall decrease in impervious surface on the lot (see Table 1). The new 735 square-foot garage would have a slightly larger footprint than the existing garage and screened porch, which have a combined area of 650 square feet. However, based on staff estimates, it appears that the removal of an existing concrete slab surrounding the existing garage appears would more than offset the proposed enlargement to the driveway. Final plan sets should clearly note the square footage of concrete proposed for removal and addition to confirm this assumption.

Table 1: Estimated Change in Impervious Surface Associated with Project

	Existing	Proposed
Garage	400 sq. ft.	735 sq. ft.
Screened Porch	250 sq. ft.	-
Driveway	350 sq. ft.	650 sq. ft.
Concrete Slab (N. and E. of existing garage)	700 sq. ft.	-
Total	1,700 sq. ft.	1,385 sq. ft.

CONCLUSION

Planning Division staff believe that on balance, the proposed garage is an improvement to the property at 637 South Shore Drive. The architecture and construction materials proposed will likely improve views of the property from Whittier Street to the west, and will not have a significant impact on views from South Shore Drive. While the proposed garage is much closer to the southern lot lines, its placement is generally respectful of the property to the south. However, the proposed three-foot setback on the eastern property line is insufficient, and should be expanded to at least six feet. This can be accomplished by reducing the depth of the garage to 24 feet and shifting it to the west by two feet, thus shortening the driveway. While the use of the second floor of the garage is a valid concern, staff think that this is sufficiently regulated under current zoning ordinances. Finally, the net decrease in impervious surface on a property this close to the waterfront is a positive attribute of the project. Staff recommends that the applicant may consider ways to further reduce impervious surface by reconfiguring the enlargement of the driveway.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the conditional use for construction of a 735 square foot garage and associated driveway expansion subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant submits a final plan set showing a minimum setback of six feet from the eastern property line. This may be accomplished by slightly reconfiguring the depth of the proposed garage and length of the driveway.
3. That the applicant submits a final plan set that includes a sheet clearly indicating the structure and pervious paving to be removed as well as added, and demonstrates a net decrease in impervious surface on the lot associated with the project as a whole.



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
1 866 704 2315 Textnet

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

Principal Engineers
Michael R. Dalley, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Manager
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

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

Financial Officer
Steven B. Danner-Rivers

DATE: September 15, 2008
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 637 South Shore Drive Conditional Use

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. N/A

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: 637 South Shore Drive Conditional Use

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 Submit a PDF of all floor plans to Lori Zenchenko lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

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- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for this development. The Developer shall indicate the method of payment as provided below:
 - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
 - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall receive the invoices to pay the outstanding impact fees at the time of permit issuance. The following shall be required prior to plat sign off;
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
 - b) All information shall transmitted to Janet Dailey by e-mail at Jdailey@cityofmadison.com, or on a CD to:

Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

Right of Way / Easements

- 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.
- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
 - a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
 - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be

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- removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

- 2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
 - a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
 - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

- 2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
 - a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
 - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division. The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

- 2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
 - a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
 - b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.18. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816.

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.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.

- 4.6 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.
- 4.7 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.
- 4.8 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.
- 4.9 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) off of new paved surfaces
 - Control 80% TSS (5 micron particle) off of new paved surfaces
 - Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.
 - Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.

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

- 4.10 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.
- 4.11 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.
- 4.12 The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only 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) All Underlying Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words "unplatted"
 - h) Lot/Plat dimensions
 - i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

- 4.13 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 dedicated 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.

- 4.14 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).
- 4.15 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.
- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 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, invert elevation, and alignment of the proposed service.

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: October 6, 2008

To: Plan Commission
From: Patrick Anderson, Assistant Zoning Administrator
Subject: 637 South Shore Drive

Present Zoning District: R-2

Proposed Use: Demolish detached and build a new 735 sq. ft. detached garage (25'4" x 30').

Conditional Use: 28.04 (19) Accessory building on a waterfront lot is a conditional use.

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

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	6,900 sq. ft.
Lot width	50'	50'
Usable open space	1,000 sq. ft.	Ok
Front yard	30'	n/a
Side yards	3 feet / 7 feet road side	22' 10"
Rear Yard	3 feet	5 feet
Building height	2 stories/35 feet	1 stories

Site Design	Required	Proposed
Number parking stalls	1	2

Other Critical Zoning Items	
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	None shown
Water front development	Yes

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

Stouder, Heather

From: Jeff Porter [jsp251@sbcglobal.net]
Sent: Monday, September 29, 2008 8:23 PM
To: Parks, Timothy
Cc: Stouder, Heather
Subject: Re: Contact information

To:

The City Plan Commission

Tim Parks & Heather Stouder

Dept. Of Planning and Community and Economic Development.

City of Madison, WI

From:

Jeff Porter

638 W. Lakeside St.

Madison, WI

I appreciate the opportunity to offer my comments to you via email because I will be out of town on business during the October 6 public hearing regarding the application for conditional use of 637 South Shore Dr.

I have met with the property owners of 637 South Shore Dr individually and with a group of adjoining property owners to review their garage plans.

I have had the opportunity to review three different generations of plans and each time have expressed my concerns of the overall dimension of the garage project, as well as the extended height of the second-story storage area.

My concern about the second-story space comes into play should the next property owner use it for activities rather than for storage, such as a separate living quarters, business operation or party space comes to mind.

I understand the City of Madison zoning permits a 576 sq ft for this district and not knowing which generation of

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10/1/2008

plans have been submitted to the commission, my concerns are heightened.

Based on the compact size of the properties in this area, 5000 to 6000 sq ft, I feel the overall dimension of this garage project is proportionately too large for the adjoining properties, as well as to the rest of the Bay Creek neighborhood characteristics.

I request the City Plan Commission not permit the conditional use permit for this project.

Respectfully,

Jeff Porter

Jeff Porter
jsp251@sbcglobal.net

----- Original Message -----

From: "Parks, Timothy" <TParks@cityofmadison.com>
To: jsp251@sbcglobal.net
Cc: "Stouder, Heather" <HStouder@cityofmadison.com>
Sent: Monday, September 29, 2008 4:50:52 PM
Subject: Contact information

Mr. Porter,

Please feel free to send me your comments by noon this Wednesday regarding the conditional use approval scheduled for 637 South Shore Drive next Monday night, October 6. You can also send those comments to Heather Stouder, who is copied and who is the reviewing planner for this application.

Don't hesitate to contact Heather or myself with any questions you might have about this project.

All the best,

TIM PARKS
Planner, Planning Division
Dept. of Planning and Community
and Economic Development
City of Madison, Wisconsin
T: 608.261.9632
F: 608.267.8739

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10/1/2008



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

MEMORANDUM

To: Members of the Plan Commission

From: Heather Stouder, AICP, Planner

Re: Additional comments regarding conditional use application for a new garage at 637 South Shore Drive

Date: October 1, 2008

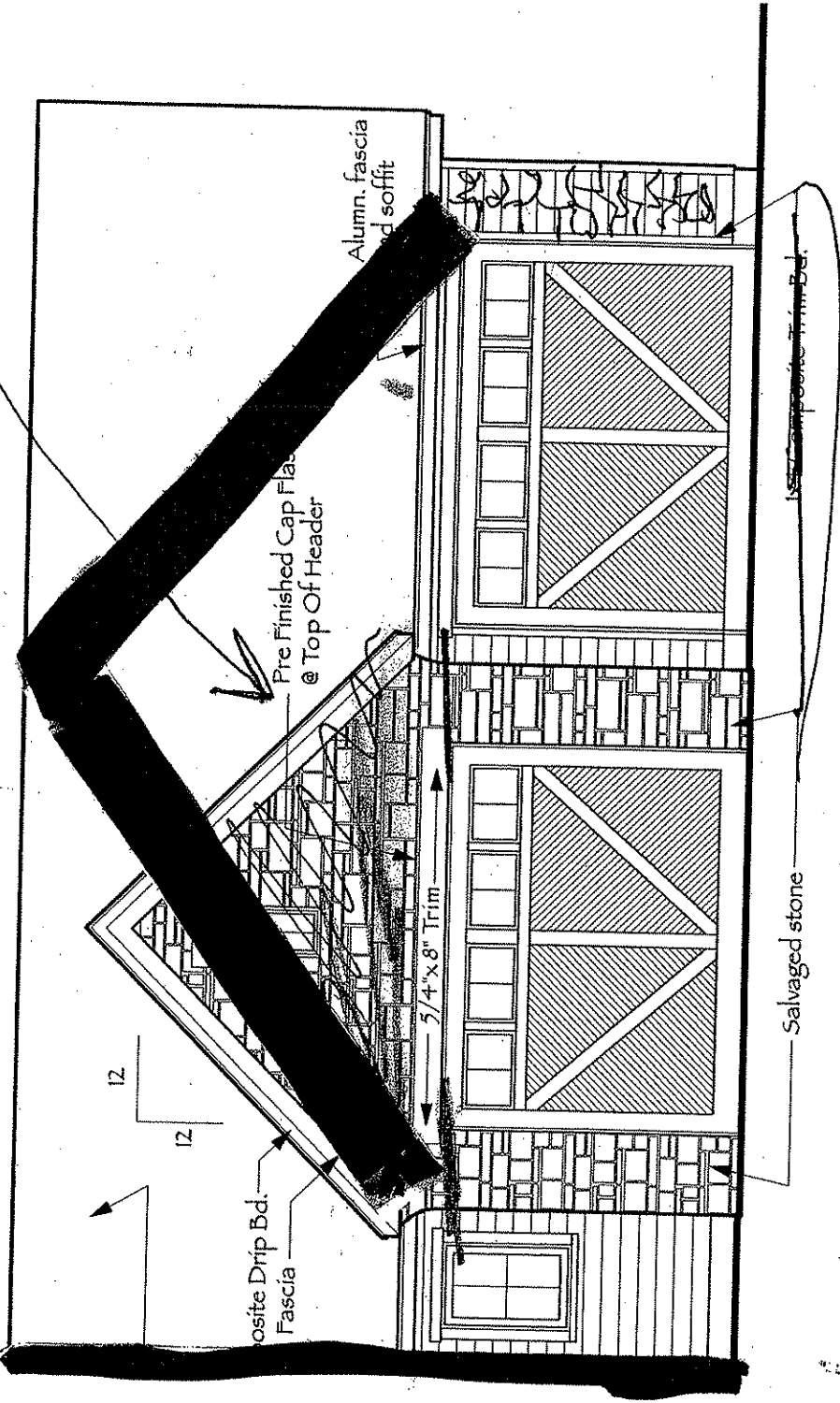
During the review of this conditional use, several informal meetings were held by the applicant to better understand and respond to concerns of nearby residents regarding the garage. The following pages include written correspondence regarding efforts by the applicant, Douglas Alexander and architect, Jason Ekstrom to address the concerns of a subset of nearby property owners.

- First, an alternative design concept provided to the applicant by neighbors who were concerned that the design of the proposed garage is too fancy for the neighborhood
- Second, a letter from the architect to the neighbors responding to their concerns
- Third, a follow up letter from the applicant to neighbors responding to their concerns

Please take into account these items as you consider whether to support approval of this proposal.

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5/4" x 8" Trim



Composite Drip Bd.
Fascia

12
12

Pre Finished Cap Flash
@ Top Of Header

Alumn. fascia
and soffit

5/4" x 8" Trim

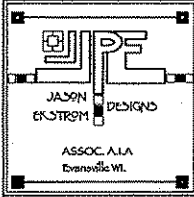
Salvaged stone

Composite Trim Bd.

Font Elevation

Scale: 1/4" = 1'-0"

1



16 Sept. 2008

To: Interested neighbors of Douglas Alexander, 637 South Shore Drive
Re: design of new garage

Douglas and Alicia Alexander met with their builder and me on Wednesday, September 3 to discuss your concerns over the design of their new garage. He clearly and somewhat passionately described the concerns you expressed and the suggested changes you provided. He has asked me to meet with you or write up my responses. I am willing to do both.

Concern #1: The design does not fit the character of the neighborhood

I think this concern arises out of the fact that the Alexander property, which has a Tudor design, backs up to 638 W. Lakeside, which is an attractive Arts and Crafts Bungalow. Any Tudor home is going to appear more stylistic than that of a modern take on a Bungalow. However due to the eclectic nature of your neighborhood, if you look at other houses within sight you'll see a number of design characteristics similar to what I've incorporated into this garage:

- 701 South Shore is also a Tudor. It has a curved design over the garage similar to the curved wall of the Alexander's garage. Such curves are a trademark of the Tudor style.
- 637 W. Lakeside is another Tudor mix that is much more stylistic, with numerous trademark design characteristics including a battered wall or buttress on the front corners.
- 702 W. Lakeside is a Tudor that has a nicely flared facade on both sides of the front face.

Numerous houses have the Found du Lac limestone used on the Alexander home. My current design for their garage, smaller than the initial, uses more of this stone due to structural aspects of its non-symmetrical shape. There is a flow of the stone up around the garage door that is not broken by any element in the architecture. To stop it suddenly when level with the doors would suggest that they are pillars when in actuality they are not. The effect would be quite awkward and seem to just have a splash of stone just for the sake of having it.

Concern #2: The design is too fancy.

I considered the suggestion of using my initial design but cutting it off at 30' and enlarging the gable to cover both garage doors. This would be one way to make it appear closer to the Bungalow garage next to it. I have three concerns re: this idea:

■ Architecturally, it's not the best solution because the slope of the gable would require the peak to rise higher than the roof, higher than code. Otherwise the 2nd floor storage area would be so flat that one could not safely stand up in it, which would prevent one from carrying lawn furniture, etc. up into it.

■ The purpose of the design of the garage is to tie into and compliment the Alexander house; this design would detach it-from a visual perspective-from the house.

■ I think the unusually large gable would be counterproductive to everyone's ultimate desire of creating a pleasant appearance. It would create a somewhat huge presence that would draw attention to itself in an undesirable way.

■ Carriage doors are part of a Tudor-style home. There are numerous examples of such doors within a two-block radius. Although I'm sure some garages of Tudor homes now have simple, plain doors, that is not in keeping with the Tudor style.

■ I understand there are concerns regarding the windows that go beyond design considerations. That is not for me to discuss. From a design standpoint, simply taking out a window would throw the design off balance and, again, be counterproductive to the goal of creating a pleasant appearance.

In sum, it appears to me that the concerns raised are rooted in the juxtaposition of the Tudor and Bungalow garages that will be in close proximity to each other. When looking at the Alexander garage and house together, the garage is appropriately designed. I'd like to suggest that this juxtaposition is actually a positive, not a negative, addition to what I think is a delightfully eclectic neighborhood with almost every architectural style in a four block area.

Feel free to email if you have any questions.

Respectfully,

Jason Ekstrom

Jason Ekstrom Designs ■

Douglas and Alicia Alexander
637 South Shore Drive
Madison, WI, 53715
220-3578 / 294-9711
douglasalexander@charter.net

Tuesday, September 16, 2008

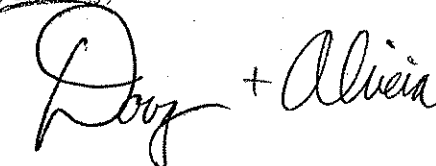
Hello Neighbors,

Alicia and I recognize that the time you want to invest in this garage thing is getting thin. We're willing to talk more with any of you, but if some of you are just tired of the whole thing, we certainly respect that too! Here are some follow-up comments to Mr. Ekstrom's letter:

1. First, I think there was a tangential misunderstanding from our last meeting that I'd like to clear up lest you think I'm more crazy than I actually am! ☺ If I said that I thought Jeff and Cherri owned our fence, I did not mean to. I don't remember saying that and I assure you, I'm aware that we own that red fence! I don't remember the details of the conversation but I remember expressing that I was aware the land *beneath* the fence belonged to Jeff and Cherri. It's not a big deal but Jeff told me you were really surprised at what I said, so I just wanted to try to clear that up.
2. Re. the letter from the architect, Alicia and I are not trying to "hide" behind him. The decision resides with us. If the basic design of the one big gable was workable I was prepared to do it. With that option gone, we discussed trying to "compromise" and drop a window or straighten a curve, etc. However when Mr. Ekstrom went on to explain to us what he wrote up for you, it didn't seem wise to chop this or that simply to try to accommodate what we had spent a few minutes coming up with off the top of our heads. Doing so would have created a sort of half-way structure between two significantly different designs. Even so we seriously discussed it. In the end I felt out of my comfort zone trying to veto what a professional warned we might all—neighbors included—regret afterwards. So we agreed to keep it as is for the reasons he describes. Alicia and I genuinely believe that once it is up it won't look out of place and we hope that it will be an attractive addition to our neighborhood. I understand, of course, that from a purely green-space perspective, anyone would prefer more open and green space around them, and thus any new structure is a bit unwelcome! I can't blame anyone for that; I'd feel the same way.
3. One of my notes from our meeting was "massiveness." I see that is not mentioned in his letter, but Mr. Ekstrom pointed out to us that the 2-dimensional design does look massive because the slant of the roof is not depicted. In the drawing it appears as if the garage is a rectangle, going straight up, with a flat roof across the top as if it could function as a helicopter launching pad! Of course that's not the case, and the slant of the roof will make it appear much less massive. I hadn't thought of that. He pointed out that the smaller the gable, the less massive it will appear. I'm not going to ask him to re-do his letter just for that, but the 3-D depictions attached will hopefully illustrate what he meant.
4. Regarding the privacy issue, I certainly understand Rusty and Mary bringing it up. As I said at our meeting, that had never occurred to us. How about if I install a shade? There's no need for light in there 98% of the time. I will plan to get a shade and keep it down so that there won't be any uncertainty of whether someone is up there looking out. Does that sound good to you?

I'll be out of town at a wedding this weekend but Alicia or I will be glad to talk with any of you about this anytime.

Very sincerely,

Douglas + Alicia