

PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of November 14, 2007

RE: ID # 08148 & 08149, Demolition Permit & Land Division – 1015 Hillside Avenue

1. Requested Action: Approval of a demolition permit for a single-family residence at 1015 Hillside Avenue.
2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits. Related to the demolition, the applicant proposes a lot line adjustment between the subject property and his property by Certified Survey Map. Section 16.23, Subdivision Regulations, provides the requirements for land divisions.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant: James Bakke, 6001 N. Highlands Avenue; Madison.
Agent: Harvey L. Temkin, Reinhart, Boerner & Van Deuren, SC; 22 E. Mifflin Street, Suite 600; Madison.
Property Owner: Estate of Mary Ellen Stafford, Margaret Stafford, personal representative; 8119 Old Sauk Pass Road; Cross Plains.
2. Development Schedule: The applicant wishes to begin demolition as soon as all regulatory approvals have been granted, with completion anticipated by May 31, 2008.
3. Location: The residence to be demolished is located on an approximately 1.46-acre parcel located at 1015 Hillside Avenue on the easterly side of Hillside between Park Place and S. Highlands Avenue. A second parcel addressed 6001 N. Highlands Avenue, is located at the southwesterly corner of N. Highlands Avenue, Park Place and Old Middleton Road and shares a common property line with the Hillside Avenue property. Both properties are located in Aldermanic District 19; Madison Metropolitan School District.
4. Existing Conditions: The 1015 Hillside Avenue residence is a two-story, 2,200 square-foot building. This site and the surrounding Highlands neighborhood are zoned R1-R (Rustic Residence District).
5. Proposed Land Use: The applicant wishes to use the related Certified Survey Map to shift the common property line between 1015 Hillside Avenue and 6001 N. Highlands Avenue to enlarge the southern yard of the N. Highlands Avenue property. The applicant wishes

to demolish the house and offer the remaining Hillside Avenue property for construction of a new residence.

6. Surrounding Land Use and Zoning: The subject site is surrounded by other single-family residences on a variety of differently sized and shaped lots located in R1R and R1 (Single-Family Residence District) zoning.
7. Adopted Land Use Plan: The Comprehensive Plan identifies the subject site and surrounding neighborhood for low-density residential uses.
8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
9. Public Utilities & Services: The 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 & CONCLUSION

The applicant is requesting approval of a demolition permit to demolish a single-family residence located on a 1.46-acre parcel at 1015 Hillside Avenue. The residence to be demolished is a two-story, 2,200 square-foot Swiss Chalet-style building constructed in 1910 for former University of Wisconsin professor James Pyre. The residence sits on an unusually shaped 1.33-acre parcel that is connected to Hillside Avenue by an approximately 20-foot wide peninsula of land. A gravel driveway extends into the site from the street through this peninsula, continuing along a portion of the southern property line before ending in a turnaround southeast of the residence, which sits near the center of the lot. The subject site is located near the easterly edge of the Highlands single-family neighborhood, which is generally characterized by large single-family residences on large, unusually shaped and heavily forested lots in the R1-R Rustic Residence zoning district.

The applicant, James Bakke, currently resides on a 2.4-acre parcel located generally due north of the Hillside Avenue property and has a contract to purchase the subject site. Mr. Bakke intends to shift the common property line between his property, 6001 N. Highland Avenue, and the subject site to settle a property dispute related to the maintenance of rear yard space, which will result in his property obtaining an additional 5,038 square feet of area. A Certified Survey Map has been filed with the City to accomplish the proposed lot line adjustment, which will result in the Bakke residence property at 6001 N. Highland Avenue increasing slightly to 2.5 acres, while the 1015 Hillside Avenue property would be reduced to approximately 1.34 acres. Both lots proposed can meet the lot design requirements in R1-R zoning, which calls for a minimum of six-tenths of an acre of lot area for each lot.

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The letter of intent submitted with the demolition request indicates that the former Pyre residence will be demolished to accommodate a new residence. A property inspection submitted with the application indicates that the structure is in poor condition and in need of substantial renovation and modernization in order to be brought into a state of good repair. While the report suggests that the house is structurally sound, it also indicates that the structure requires replacement or renovation of the roof, siding, windows, heating, mechanicals, plumbing, electrical, etc., as well as modernization of some interior rooms. Mr. Bakke feels that the condition of the house is a liability in his efforts to resell the property following the lot line adjustment and is seeking the ability to raze it as soon as possible. A building envelope is proposed on the Hillside lot (Lot 2) in the same location as the existing structure to limit the location of any future residence on the property, and a note is proposed on the Certified Survey Map that would make any new residence on Lot 2 subject to Plan Commission approval under the demolition standards. The letter of intent also indicates that most of the existing mature vegetation on the site will be preserved.

Plan Commission staff has reviewed the materials submitted with the demolition permit request and would concur that the existing residence at 1015 Hillside Avenue is in a severely deteriorated state that would make it a candidate for demolition permit approval in most cases. However, in addition to there having been no plans for an alternative use of the property submitted for Plan Commission review, the existing structure is considered as a candidate for local landmark status. In a report (attached), the City's preservation planner, Kitty Rankin, indicates that the former Pyre residence is "clearly eligible" to be a local landmark due to its rare Swiss Chalet style. Staff has also asked the Landmarks Commission to review the proposed demolition permit. The Landmarks Commission will complete its review of the demolition request at its November 19, 2007 meeting and its actions communicated to the Commission during your public hearing the same night.

If the demolition permit is approved, a reuse and recycling plan approved by the Recycling Coordinator will be required prior to the issuance of the wrecking permit.

RECOMMENDATIONS

The Planning Division recommends that the Plan Commission consider the condition of the residence, the advisory recommendation of the Landmarks Commission and input during the public hearing in determining whether to approve, reject or refer the demolition of the residence at 1015 Hillside Avenue. If the demolition permit is approved, the approval shall be subject to the following conditions:

1. Comments from reviewing agencies.
2. That the applicant close the driveway to Hillside Avenue at the property line as required by the Zoning Administrator.

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Regardless of the Plan Commission's action on the proposed demolition at 1015 Hillside Avenue, Planning Division staff believes that the standards can be met for the proposed Certified Survey Map, which is not dependent upon the demolition in order to proceed. Staff recommends that the land division request to move the common lot line between the subject site and 6001 N. Highlands Avenue be approved subject to the following conditions:

1. Comments from reviewing agencies.
2. In the event that the Plan Commission refers or rejects the demolition permit application, that the Certified Survey Map be revised to show the location of the existing residence on Lot 2 in lieu of the building envelope now shown. The note regarding the review of a new residence on Lot 2 by the Plan Commission shall be removed. The building envelope and Plan Commission note shall remain on the CSM if the demolition permit is approved prior to the recording of the CSM.
3. In the event that the demolition is approved after the CSM is recorded, the Plan Commission shall require a restrictive covenant to be recorded against proposed Lot 2 requiring that the Plan Commission approve any new principal structure to be constructed on that lot.

Note to Commission

Pyre House

1015 Hillside Avenue

This 2200 square foot two-story frame house is proposed for demolition by a neighboring property owner, who plans to divide the 56,000 square foot lot into two parts – a small extension for their backyard and a separate lot for sale where the house is currently located. Because of the poor condition of the house, the applicant wishes to demolish it prior to marketing the site for a potential single-family development.

Historic and Architectural Significance

The house was one of the first houses built in the Highlands, a very interesting development of farm land into huge, multi-acre lots. Nationally prominent landscape designer Ossian Cole Simonds of Chicago designed the development in the Midwestern prairie style of landscape design.

The house was built for Prof. James Francis Augustine Pyre (1871-1934) and his wife Marcia. Prof. Pyre was a highly respected professor of English Literature. He wrote, often with one or more other English professors, several important books, four of which are still in print today. His most successful was probably *Students' Handbook of the Facts of English Literature*, first published in 1910 with the most recent publication dating to 2003. The other books still in print include *Formation of Tennyson's Style*, *English Poetry of the 19th Century* and *Great English Poets*. Pyre was also seminal in the development of the athletic department on campus, and was instrumental in the development of the Big Ten. He wrote a history of the University of Wisconsin in 1920 and lectured all over the state as part of the University Extension. When he died in 1934, UW President Birge stated that "Pyre represented the university as a whole in a way that no other man ever did; as no one will or can, represent it in the future."

The house is in the rare Swiss chalet style and is the earliest known representation of the style in Madison. There are three other houses in the style in Madison, all very interesting in design, although the other large house in the style, which also happens to be in the Highlands, has been quite altered. The Pyre House is clearly eligible to be a Madison Landmark.

Condition of the house

The owner has submitted a detailed report on the costs of rehabilitation (included in your packets). My husband and I have inspected the house and concur with the inspector that it is structurally sound. I think that the assessment prepared for the owner is a reasonable rough estimate of the repairs required. Although I might beg to differ on some items, such as that all of the windows need replacement rather than

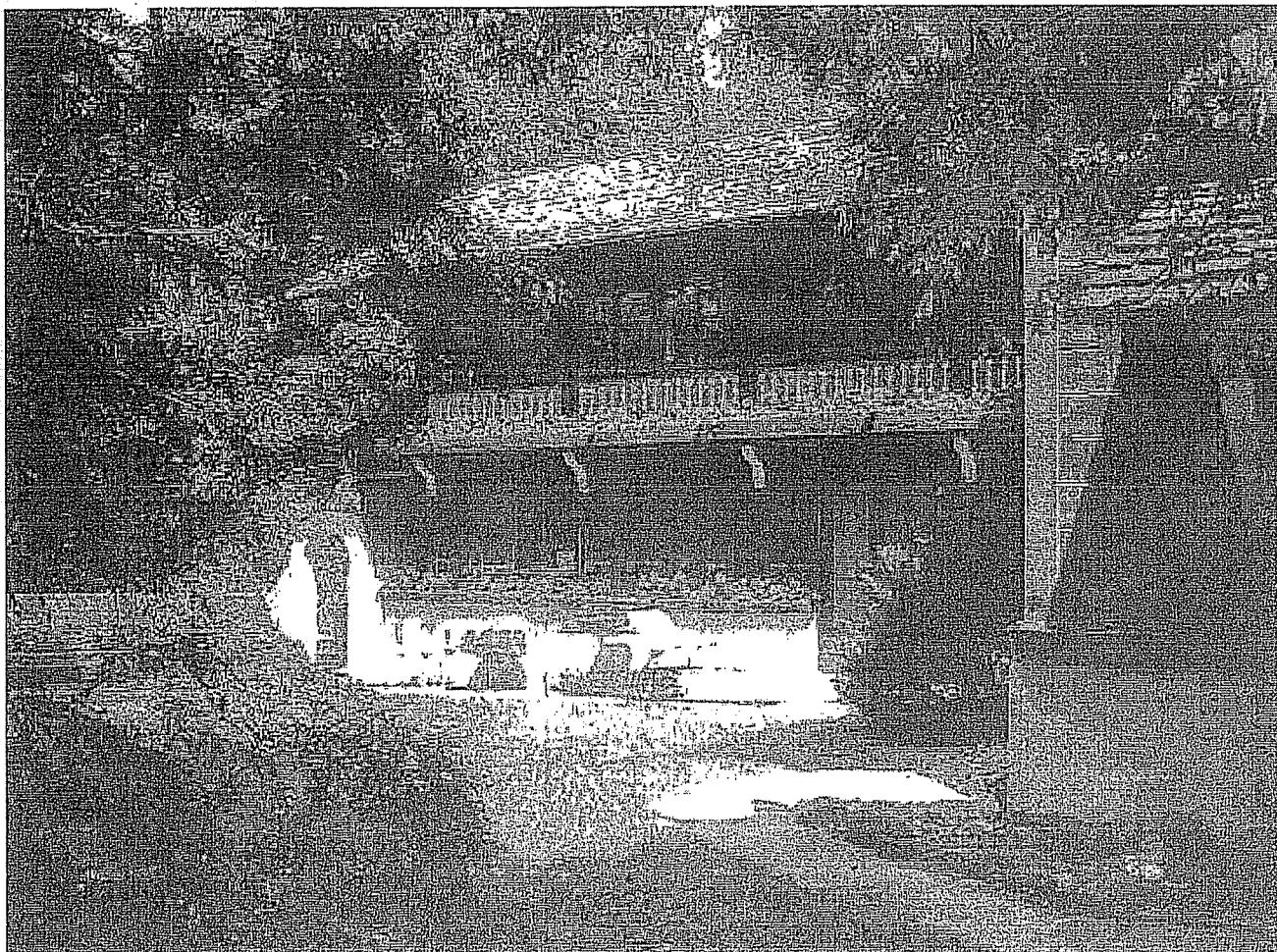
refurbishment and that 100 amp service is not adequate, the kitchen definitely needs gutting, which is not included in his cost estimates and most owners would also probably want to build a larger garage. The house has a gracious floor plan and, if renovated, would be a lovely place to live.

Recommendation

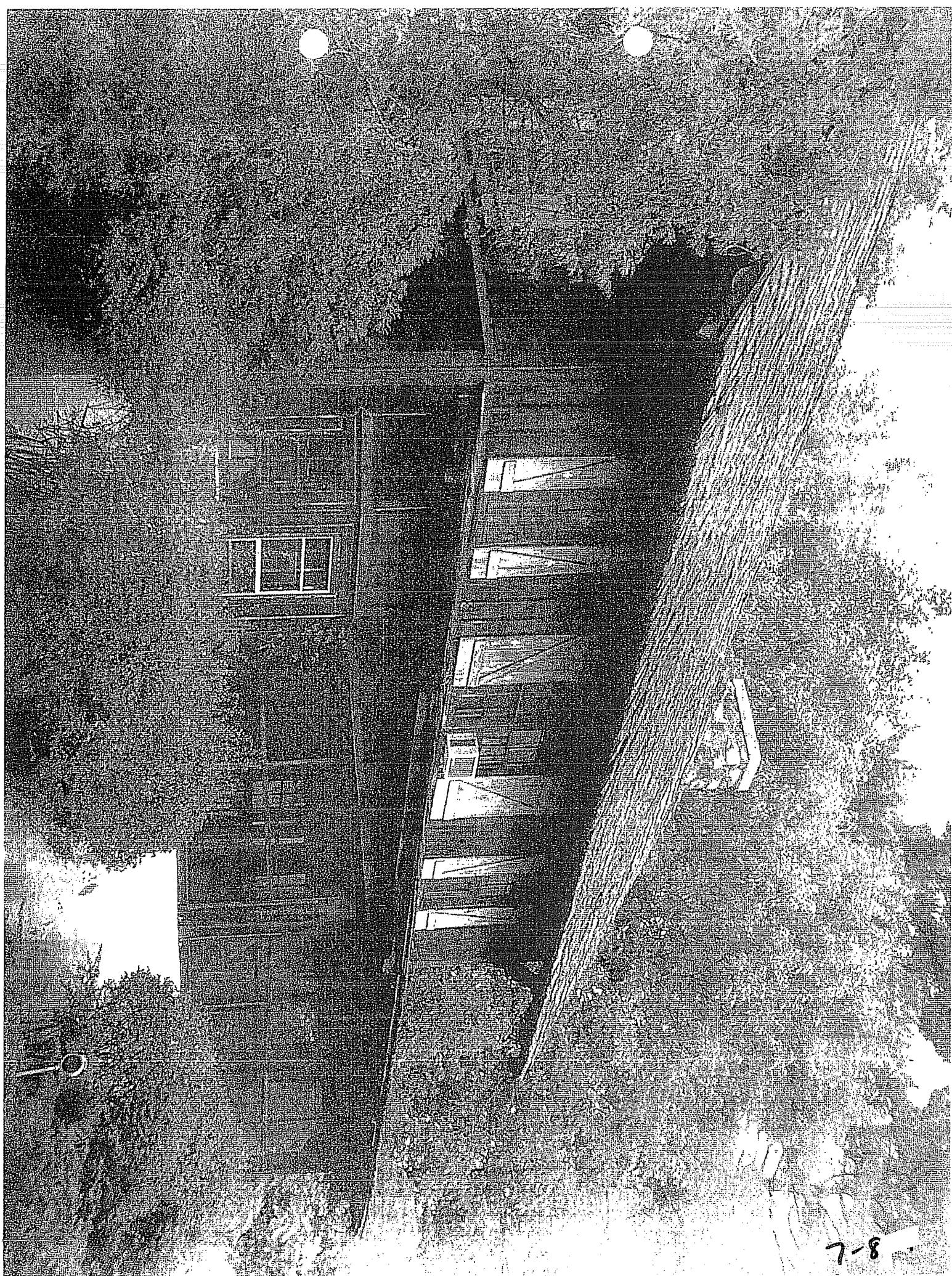
I have suggested to the owner's attorney that the owner considering putting the house and lot up for sale for the value of the land. I have no doubt that the house would qualify for the Wisconsin historic homeowners' tax credit program, which would save 25% of the costs of eligible work, including exterior restoration and repairs, HVAC, structural work if needed, electrical upgrades (but not new fixtures) and plumbing upgrades (but not new fixtures). Provided that the asking price was not unreasonable, the Plan Commission could stipulate that if, after a certain time (say, one year) no one wishes to purchase the property and renovate the house, then demolition would be permitted. This would potentially save the owner the costs of demolition. It may very well be that a buyer would be forthcoming who would be able to afford the purchase of the lot and the high costs of restoration of the house.

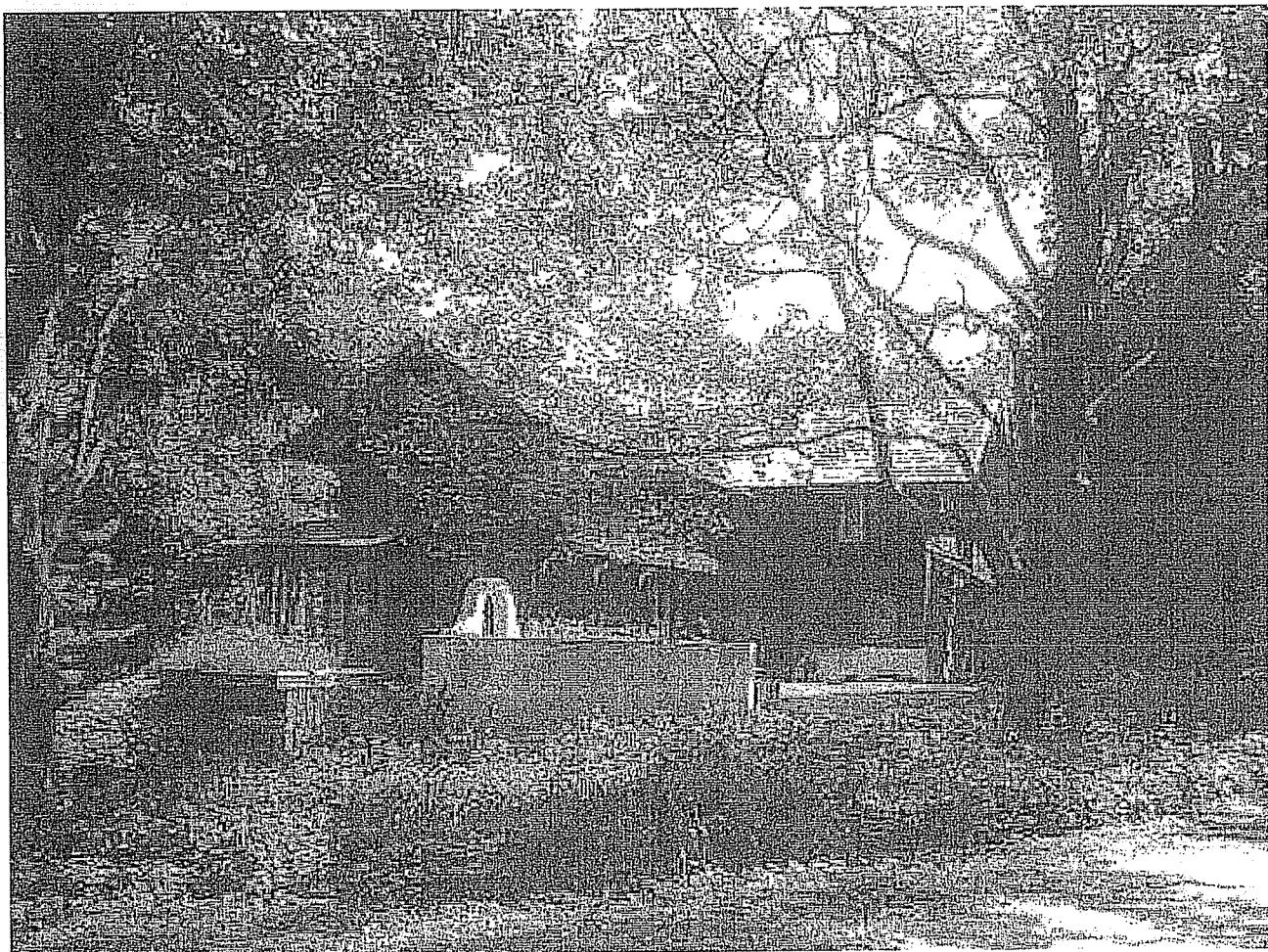
K. H. Rankin *KH Rankin*
10-31-07

P. S. - Color photographs of the house are available on line through the MLS. Go to a realty company's website and search for MLS number 1471791.

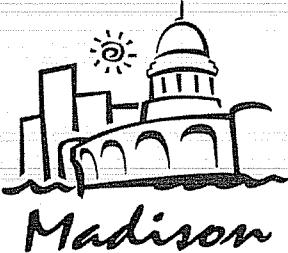


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Department of Public Works City Engineering Division

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. Dailey, 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: November 6, 2007

TO: Plan Commission

FROM: *for* Larry D. Nelson, P.E., City Engineer

SUBJECT: 1015 Hillside Avenue 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 all abandoned driveways by restoring the terrace with grass.
2. Demolition plan shall be revised to show the location of the existing lateral and the location of the proposed cleanout. It is understood that the applicant will not abandon the existing lateral at the City right-of-way (Park Place). Proposed cleanout and abandonment of the old lateral on private property will require being inspected by City Engineering Staff.

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: 1015 Hillside Avenue 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

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and Engineering Division records.

- 1.6 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko zenchenko@cityofmadison.com or (608) 266-5952
- 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 the _____ Impact Fee District for Lot(s) _____ of the _____ Plat/CSM. The current rate is \$ _____ /1000SF for a total of \$ _____. The Developer shall select one of the following two options for payment of these fees:

- 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 have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. 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 be 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:

ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).

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 **7-8**)

- c. the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- d. 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 removed by the City without replacement or compensation to the property owner.
- e. 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.
- e. 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.

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

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

- 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 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.

4.14 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). T 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 be 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.

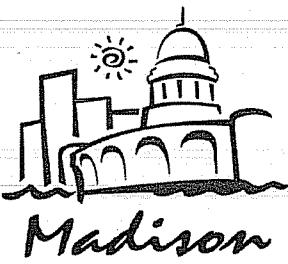
Sanitary Sewer

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.



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. Whitley, 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: November 6, 2007

TO: Plan Commission

FROM: *Larry D. Nelson* Larry D. Nelson, P.E., City Engineer

SUBJECT: *1015 Hillside Avenue Certified Survey Map*

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. Show location of existing and/or proposed sanitary sewer service lateral.
2. Revise the legal description to include the portions of existing platted Lots 2, 24 & 26, Highlands and all or portions of existing Lots 1, 2 and 3, Certified Survey Map 6770 as applicable.
3. Include recorded and measured values as necessary related to CSM 6770.
4. Contact Eric Pederson at 266-4056 or epederson@cityofmadison.com for discussion on technical questions relative to this proposed CSM.

GENERAL OR STANDARD REVIEW COMMENTS

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

Engineering Division Review of Plats (Pre-Preliminary, Preliminary, Final) and Certified Survey Maps

Name: 1015 Hillside Avenue Certified Survey Map

General

- 1.1 The Developer shall enter into a City / Developer agreement for the installation of public improvements required to serve this plat/csm. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat/csm without the agreement executed by the developer.
- 1.2 Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.

7-8

1.3 The Developer is required to pay Impact Fees for the _____ Impact Fee District for Lot(s) _____ of the _____ Plat/CSM. The current rate is \$ _____ /1000SF for a total of \$ _____. The Developer shall select one of the following two options for payment of these fees:

- 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 have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. 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 be 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:

ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).

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 Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.3 It is anticipated that the improvements on [roadway name] _____ required to facilitate ingress and egress to the plat/csm will require additional right of way and/or grading easements located outside the plat/csm boundary. The developer shall acquire the right of way and/or sloping easements as required by the City at the developer's expense. In the event that the developer is unable to acquire the right of way and/or sloping easements required, the City shall assist the developer in acquiring the property and the developer shall pay the City for all costs associated with the acquisition.
- 2.4 The Developer shall petition for the street vacation of (roadway name) _____ and provide a legal description and sketch of the right of way to be vacated after consultation with the City Engineer.

Are the following requirements met?

- * Streets Intersect at right angles.
- * A 15 foot minimum tangent at intersections from PC of curve to property line.
- * Arterial intersection spacing generally greater than 1200 feet.
- * Jogs are avoided at intersections. Arterial streets shall be adjusted to align if spacing less than 300 feet.
- * Spacing of intersections on local streets shall be greater than 300 feet.
- * Cul-de-sacs shall be less than 1000 feet long.
- * 100 foot tangents between curves.

- 2.5 _____
- 2.6 Property lines at intersections shall be rounded with a 15 foot radius on _____
- 2.7 Property lines at intersections shall be rounded with a 25 foot radius on _____
- 2.8 The right of way width on _____ shall be _____ feet, on _____ shall be _____ feet and on _____ shall be _____ feet

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feet.

2.9 _____ shall have a minimum centerline radius of _____ feet and _____ shall have a minimum centerline radius of _____ feet and _____ shall have a minimum centerline radius of _____ feet.

2.10 The cul-de-sac on _____ shall have a minimum radius of _____ feet with a minimum reverse curve radius of _____ feet.

2.11 The plat/csm shall show a temporary limited easement for a temporary cul-de-sac on _____ having a radius of _____ feet and a reverse curve radius of _____ feet. The easement(s) shall expire when the streets are extended.

2.12 The developer shall show on the plat/csm a 40 foot utility easement adjacent to [roadway name] _____. The easement wording shall be approved by the City Engineer. The intent of the easement is to allow for the relocation of a major transmission line. The actual poles would remain on the right of way however major transmission lines require an easement beyond the space occupied by the poles for safety.

2.13 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.

2.14 The Developer shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.

2.15 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____. 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.

2.16 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:

- 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.
- 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.)
- 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 removed by the City without replacement or compensation to the property owner.
- 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.
- 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.

2.17 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:

- 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.
- 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.)
- 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.
- 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.
- 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.

2.18 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:

- 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.
- 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.

2.19 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 Developer shall construct Madison Standard street improvements for all streets within the plat/csm.

3.2 The developer shall show a 30 40 (Strike one, 30 collector, 40 Arterial) foot building setback line on the plat/csm adjacent to [Roadway Name] _____ for all lots in the plat/csm adjacent to said roadway.

Note: No buffer strip shall be dedicated to the City as the City does not want the maintenance.

3.3 Extensive grading may be required due to steep roadway grades.

3.4 The developer shall note that City funds for park frontage are limited and will be determined at the sole discretion of the City.

3.5 The developer shall construct sidewalk and record a waiver of their right to notice and hearings for the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. Said sidewalk constructed in front of and waiver recorded to Lot(s) _____.

3.6 The Developer shall make the following improvement to [Roadway Name] _____. The Developer shall construct sidewalk and _____ feet of a future _____ foot roadway including curb and gutter on the _____ side of the roadway.

3.7 The Developer shall construct sidewalk to a plan approved by the City Engineer and complete ditching as required by the City Engineer along [Roadway Name] _____.

3.8 The Developer shall grade the right of way line to a grade established by the City Engineer and complete ditching along the roadway as specified by the city engineer along [Roadway Name] _____.

3.9 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____. (Also require the City / Developer agreement line 1.1)

3.10 **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>.

3.11 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.

3.12 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>.

3.13 Developer shall make improvements to [Roadway Name] _____ considered temporary to facilitate ingress and egress

to the plat/csm until such time as the ultimate improvement of the roadway is undertaken by the city.

3.14 The Developer shall make improvements to [Roadway Name] _____ to facilitate ingress and egress to the plat/csm.

[Select one of the below comments for either of the above or leave general]

- The above improvement will consist of acceleration and deceleration tapers.
- The above improvement consists of rights turn lanes.
- The above improvement will consist of passing lanes.
- The above improvement will consist of median openings.

Caution – The improvements indicated above may require right of way outside of the plat/csm. See comment 2.3 to require additional right of way for this purpose.

- 3.15 The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat/csm.
- 3.16 The developer shall confirm that adequate sight distance exists on _____ where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
- 3.17 All proposed street names shall be approved by the City Engineer. Applicant shall contact Lori Zenchenko (608-266-5952) with street name requests.
- 3.18 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.19 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko lzenchenko@cityofmadison.com or (608) 266-5952

Storm Water Management

- 4.1 An erosion control plan and land disturbing activity permit shall be submitted to the Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. 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.
- 4.2 The following notes shall be included on the final plat:
 - a. All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.

- b. The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

- 4.3 Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
 - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.

b. All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the certified survey. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

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Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

4.4 Prior to the issuance of building permits, the Developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage.

The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27.

The following note shall accompany the master storm water drainage plan:

a. For purposes of this plan, it is assumed that grading shall be a straight line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows.

No building permits shall be issued prior to City Engineering's approval of this plan.

4.5 If the lots within this certified survey map are inter-dependent upon one another for storm water 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 certified survey map and recorded at the Dane Co Register of Deeds.

4.6 The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop."

4.7 This plat/csm could affect a flood plain, wetland or other sensitive areas. As such, it shall be reviewed by the Commission on the Environment. Contact Mike Dailey at 266-4058 for further details. The proposed plat/csm may be considered a major change to the environmental corridor and be subject to a public hearing and approval of the Dane County Regional Plan Commission.

4.8 A portion of this plat/csm may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources for wetland or flood plain issues or navigable waterway. A permit for those matters may be required prior to construction on any of the lots currently within the plat/csm. Contact the WDNR & USACOE for a jurisdictional determination.

4.9 Prior to recording the plat/csm, the applicant 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.

4.10 This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

4.11 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.

4.12 A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Dailey (608-261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

Sanitary Sewer

5.1 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to 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.

5.2 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.

5.3 This land division contains or is adjacent to facilities of MMSD. Prior to approval, applicant shall provide evidence that MMSD has reviewed and approved the proposed land division.

Mapping / Land Records

6.1 Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. **Note: Land tie to two PLS corners required.**

6.2 In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference **City of Madison WCCS Dane Zone, 1997Coordinates** on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact Engineering Division for this information.

6.3. The Applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the **final plat/CSM** to the Mapping/GIS Section of the Engineering Division. **The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number:**

- Right-of-Way lines (public and private)
- Lot lines
- Lot numbers
- Lot/Plat dimensions
- Street names
- Easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except **local service** for Cable TV, gas, electric and fiber optics).

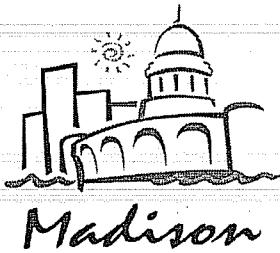
NOTE: This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

NOTE: New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

6.4 In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing

easements (cite Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements.

6.5 Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred. Transmit to epederson@cityofmadison.com



Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2986

Madison, Wisconsin 53701-2986

PH 608 266 4761

TTY 866-704-2315

FAX 608 267 1158

November 8, 2007

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **1015 Hillside Avenue – Demolish – Single Family Home**

The City Traffic 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. None

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

GENERAL OR STANDARD REVIEW COMMENTS

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

3. None

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Atty. Harvey Temkin
Fax: 229-2100
Email:

DCD: DJM: dm



Madison

Department of Planning & Community & Economic Development

Planning/Neighborhood Preservation & Inspection/Economic & Community Development

Mark A. Olinger, Director

Bradley J. Murphy

Planning Division

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, WI 53701-2985

(608) 266-4635

REVIEW REQUEST FOR:

- PRELIMINARY PLAT
- FINAL PLAT
- LOT DIVISION/CSM
- CONDITIONAL USE
- DEMOLITION
- REZONING
- INCLUSIONARY ZONING
- OTHER

1015 HILLSIDE AVENUE

DEMOLISH SINGLE-FAMILY HOME

MARGARET STAFFORD / HARVEY TEMKIN - REINHART
BOEKER VAN DUREN, S.C.

PLANNING DIVISION CONTACT: Tim Parks

RETURN COMMENTS BY: 03 November 2007

PLEASE ALSO EMAIL OR FAX ANY COMMENTS TO THE APPLICANT:

Applicant E-mail: Harvey@reinhardtlaw.com Fax: 229-2100

Date Submitted: 11 October 2007 Plan Commission: 19 November 2007

Date Circulated: 11 October 2007 Common Council: _____

CIRCULATED TO:

- ZONING
- FIRE DEPARTMENT
- PARKS DIVISION
- TRAFFIC ENG.
- CITY ENG. - DAILEY
- CITY ENG. - PEDERSON
- WATER UTILITY
- CDBG - CONSTANS
- REAL ESTATE - EKOLA

<input type="checkbox"/> DISABILITY RIGHTS	<input type="checkbox"/> ALD. _____	<input type="checkbox"/> DIST. _____
<input type="checkbox"/> POLICE DEPT. - THURBER	<input type="checkbox"/> MADISON GAS & ELECTRIC	
<input type="checkbox"/> CITY ASSESSOR - M. RICHARDS	<input type="checkbox"/> ALLIANT ENERGY	
<input type="checkbox"/> MADISON METRO - SOBOTA	<input type="checkbox"/> A T & T	
<input type="checkbox"/> MMSD BOARD, C/O SUPT.	<input type="checkbox"/> T D S	
<input type="checkbox"/> PUBLIC HEALTH - SCHILENKER	<input type="checkbox"/> MT. VERNON TELE	
<input checked="" type="checkbox"/> HIGHLANDS COMM. ASSOC.		
<input type="checkbox"/> NEIGHBORHOOD ORGANIZATION		

- Review the above as per time schedule set in Chapter 16.23(5)(b)2; 16.23(5)(3)3; or Chapter 28, City of Madison Ordinance; OR your agency's comments cannot be considered prior to action.
- One copy for your files; one copy for file of appropriate telephone company; PLEASE RETURN one copy with joint comments.
- The above is located in your district. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.
- The above is located within or near the limits of your neighborhood organization. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.

RETURN COMMENTS TO: PLANNING DIVISION, DEPT. OF PLANNING & COMMUNITY & ECONOMIC DEVELOPMENT, ROOM LL100 MMB, 215 MARTIN LUTHER KING JR. BLVD.

NO COMMENTS / YOUR COMMENTS:

The Highlands Neighborhood Association supports Jim and Sue Bakke's request to demolish the home and landscape the property located at 1015 Hillside Ave, Madison, WI 53705.

STAFFORD & NEAL, S.C.

ATTORNEYS AT LAW

900 JOHN NOLEN DRIVE, SUITE 120

MADISON, WISCONSIN 53713-1476

(608) 251-6045

FACSIMILE (608) 251-6688

www.staffordneal.com

PRACTICE LIMITED TO

WORKER'S COMPENSATION AND
SOCIAL SECURITY DISABILITY

MARGARET STAFFORD
JOHN D. NEAL
CHARLES M. SOULE
RYAN K. O'CONNOR
KRISTA R. KENNEDY

November 14, 2007

Via Hand Delivery

Plan Commission
Attn: Tim Parks
215 Martin Luther King, Jr. Blvd
Room LL110
Madison, WI 53701-2985

**RE: Demolition permit concerning 1015 Hillside Drive
Plan Commission meeting November 19, 2007 at 6:00 p.m.**

Dear Mr. Parks:

My sister, Kathleen Stafford Schneyer, cannot be at the Plan Commission meeting due to the fact she has end stage non-hodgkin lymphoma. She has, however, written a letter in support of our family's position. I would like every member of the Plan Commission to have a copy of this letter before the November 19, 2007, meeting of the Plan Commission.

Thank you so much.

Very truly yours,

Margaret Stafford

MS:jp

cc: Attorney Harvey Temkin



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November 14, 2007 **Plan Commission meeting November 19, 2007 at 6:00 p.m.**

Plan Commission
215 Martin Luther King, Jr. Blvd
Room LL110
Madison, WI 53701-2985

**RE: Concerning the application for Demolition of the property of:
1015 Hillside Drive, Madison, WI 53705**

Dear Plan Commission members:

Please refer to the criteria established on Madison City Ordinance 33.19(4)

Does the house have particular historic, architectural or cultural interest to the city because it reflects broad cultural, political, economic or social history of the community and/or is associated with historic personages and/or has distinguishing architectural characteristics (use of special indigenous materials etc...)?

Professor Pyre was an English professor who, like hundreds of similarly situated other UW English professors, wrote about his field and taught. He was not an "historic personage."

The house is tucked away amongst trees in the Highlands, entirely hidden from public view. (The "value to the public" of enjoying the "charm" of this structure is nonexistent.)

The proposition that this is a property with "distinguishing architectural elements" either in the materials used or the manner of construction is contrived. It was built very inexpensively of ordinary pine materials as a summer house and used infrequently by Professor Pyre and his wife Marsh who lived in town. The Staffords bought the house from the Pyres and eventually made very significant remodeling changes in the 1960's by expanding the exterior structure and reshaping the interiors: the arrangement of the kitchen was completely changed by removing a stairwell and including an expansion to the original building of a breakfast room off the kitchen. A new bedroom and bath on the second floor were added. Anderson windows replaced the old frame ones, enclosing the sleeping porch on the second floor. This is not an example of original architecture (there are others in this chalet style in Madison). It is a very changed building from

the original summer house. It does not embody elements of unique style or construction.

The Stafford property simply does not meet the criteria set out by the city for Landmark status. If you take exception with the facts as forwarded by those of us who have lived for decades in this structure, then please consider the consequences of a landmark designation to the owners of the property:

Concerning the criteria which you also consider in a petition to demolish: It is very questionable whether given the current deteriorated state of the property, it is structurally or economically feasible to restore this building. It is now partially inhabited by bats in the attic, squirrels have found a two-story runway adjacent to the old fire place (which has been deemed to be unsafe and requiring replacement) and the pump house on the property is scattered by the bones of local fauna. The current damage to the property by leaks from a faulty roof and faulty plumbing will require replacing most of the interior structure. The house is not up to electrical code and has no air conditioning. The cost of heating the house is exorbitant and despite old Mrs. Stafford's efforts to keep warm during winter the gas bill alone for her in the winter before her death in April of '06 hovered at \$600.00 to \$850.00 per month.

A good faith effort to sell the property has been made by keeping the house on the market for over 1 ½ years and significantly reducing the price of the house.

Mrs. Stafford's children, based on the counsel of two different real estate firms (Stark and First Webber) as well as an independent appraisal of the property, listed the property initially for \$620,00-670,000. This was an asking price significantly BELOW other listings at the time in the Highlands. Extensive publicity was given in and outside the immediate area through multiple listings and glossy expensive mailings. Multiple open houses were conducted. Finally, and in an effort of major compromise amongst the Stafford heirs, the only offer on the house of \$475,000 was accepted conditioned on the ability to demolish it. The Staffords, middle class people with no exceptional savings, accepted an offer which was 1/3 LESS THAN THE ORIGINAL ASKING PRICE.

For this Council to stretch the criteria as established by the city to include this property as a Landmark site would effectively and significantly reduce the value of property and constitute a significant TAKING on the part of the City. Please apply the facts as presented here by those in a position to know them.

Respectfully submitted,

Kathleen Stafford Schneyer
Kathleen Stafford Schneyer

Parks, Timothy

From: Kelly Starr [kellystarrking@gmail.com]
Sent: Monday, November 19, 2007 3:23 PM
To: Parks, Timothy; lhstarr3@charter.net; kellystarrking@gmail.com
Subject: Demolition and redivision

I would like to go on record as approving the demolition of the existing house on 1015 Hillside Avenue.

I would also like to go on record as opposing the redivision, unless we can be assured that only one house will occupy that entire piece of property, replacing the Stafford home.

Thank you for your consideration.

Leanne Starr
18 Park Place
Madison, WI 53705
608-233-8099

Page 1 of 1

Parks, Timothy

From: Leanne Starr [lhstarr3@charter.net]
Sent: Monday, November 19, 2007 3:04 PM
To: Parks, Timothy
Subject: Public hearing re: demolition and redivision

Dear Tim,

I would like to go on record as approving the demolition on the property located at 1015 Hillside Ave.

I would like to oppose the redivision unless we could be assured that there will only be one house and that house would be replacing the current one that will be demolished.

Thank you for your consideration,
Leanne Starr
18 Park Place
Madison Wi.
53705