



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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November 9, 2017

Jason Franzen
Hart DeNoble Builders, Inc.
7923 Airport Road
Middleton, WI 53562

RE: Legistar #48968; Accela 'LNDUSE-2017-00101' -- Approval of a demolition permit and conditional use to allow a single-family residence to be demolished and a new single-family residence to be constructed on a lakefront property construct at **5010 Lake Mendota Drive**.

Dear Mr. Franzen:

At its November 6, 2017 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your client's demolition permit and conditional use requests to allow a single-family residence to be demolished and a new single-family residence to be constructed on a lakefront property construct at **5010 Lake Mendota Drive**, subject to the conditions below. In order to receive final approval of the conditional use, and for any permits to be issued for your project, the following conditions shall be met:

Please contact Timothy Troester of the City Engineering Division – Main Office at (608) 267-1995 if you have any questions regarding the following three (3) items:

1. Applicant shall dedicate at 10' permanent public stormwater easement along the eastern property line running from Lake Mendota Drive to the Lake. A temporary construction easement shall be granted to allow installation of pipe in this area. Additionally, the applicant shall coordinate with City Engineering Operations crews to allow installation of a storm pipe in this easement prior to beginning the new house construction.
2. Concrete drive apron as shown will not be approved. Revise to typical drive apron or remove from plans.
3. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have any questions regarding the following three (3) items:

4. City of Madison Survey Staff have located in the field the Public 4" sanitary force main lying over the northerly portion of this property. In order to properly document and set forth rights and responsibilities in regard to this existing public utility, the City Engineer and the City Office of Real Estate Services shall prepare 15' wide sanitary sewer/forcemain easement centered on the pipe for execution by the Owner of the property and subsequent recording at the Dane County Register of Deeds. Contact Jeff Quamme (266-4097 or jrquamme@cityofmadison.com) with any questions.
5. A 10' Storm Sewer Easement and Temporary Construction Easement is being required by Engineering along the east side of this property. In order to properly document and set forth rights and responsibilities in regard to this proposed easement, the City Engineer and the City Office of Real Estate Services shall prepare a 110' wide easement along the east side of this property for execution by the Owner of the property and subsequent recording at the Dane County Register of Deeds. Contact Jeff Quamme (266-4097 or jrquamme@cityofmadison.com) with any questions.
6. The site plan shall remove the sanitary sewer shown, and shall show the field located force main. There is not gravity sewer through this property as is currently shown. The proposed easements shall also be shown on the site plan.

Please contact Jenny Kirchgatter of the Zoning Division at (608) 266-4429 if you have any questions regarding the following eight (8) items:

7. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
8. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
9. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
10. Show the lakefront yard setback on the site plan. Show the setback distance of the balconies (loggia) as measured to the Ordinary High Water Mark.
11. Provide a complete inventory of shoreline vegetation in any area proposed for building, filling, grading or excavating. In addition, the development plan shall indicate those trees and shrubbery which will be removed as a result of the proposed development. Identify the existing trees to remain and the trees to be removed consistently on the site plan and landscape plan. The cutting of trees and shrubbery shall be limited in the strip thirty-five (35) feet inland from the normal waterline. On any zoning lot not more than thirty percent (30%) of the frontage shall be cleared of trees and shrubbery.
12. On the site plan, clearly show the area of the existing driveway to remain and the driveway area to be removed. Show the width of the driveway measured at the front property line. Per Section 28.141(9)(b)(1), the maximum driveway width is the width of the garage entrance or parking area, up to a maximum of twenty-two (22) feet.

13. Filling, grading and excavation of the zoning lot may be permitted only where protection against erosion, sedimentation and impairment of fish and aquatic life has been assured. Obtain necessary erosion control permits.
14. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following two (2) items:

15. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Captain Jerry Buechner at jbuechner@cityofmadison.com or (608) 516-9195.
16. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org/building-residential-fire-sprinklers>. A cost estimate to upgrade the house with fire sprinklers shall be made available to the owner.

Please contact Adam Wiederhoeft of the Madison Water Utility at (608) 266-9121 if you have any questions regarding the following three (3) items:

17. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.
18. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days' notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
19. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

Please contact my office at (608) 261-9135, if you have questions regarding the following two (2) items:

20. The applicant's final sign-off plans shall include a grading plan that labels the finished-grade elevations at the building corners for approval by Planning Division staff.

21. The following information is provided for the reference of the applicant as many lakefront properties are associated with locations of Native American effigy mounds and archeological sites.

Burial Sites Preservation (§ 157.70):

(2r) Site Disturbance Prohibited. Except as provided under subs (4) and (5) and State Statute 157.111 and 157.112, no person may intentionally cause or permit the disturbance of a burial site or catalogued land contiguous to a cataloged burial site.

(3) Report of Disturbed Burial Sites. (a) Except as provided under s. 979.01, a person shall immediately notify the Wisconsin Historical Society (608-264-6502) if the person knows or has reasonable grounds to believe that a burial site or the cataloged land contiguous to a cataloged burial site is being disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

Many lakefront properties are associated with locations of Native American effigy mounds and archeological sites. This site is known to be associated with archeological and historic resources. The Burial Sites Preservation statute requires that the property owner contact the Wisconsin Historical Society to discuss the location of the proposed project and any possible disturbance of an archaeological or historic resource before the work commences. During the construction work, if a burial site disturbance occurs, the work shall stop immediately until the Wisconsin Historical Society is able to assess the site.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining your conditional use:

1. Please revise your plans per the above conditions and submit **seven (7) copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, 126 S. Hamilton Street. **This submittal shall all also include one complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.

4. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.
6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use or building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at (608) 261-9135.

Sincerely,



Chris Wells
 Planner

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for these demolition and conditional use permits.</p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Applicant</i></p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Property Owner (if not the applicant)</i></p>

- cc: Timothy Troester, City Engineering
 Jeff Quamme, Engineering Mapping
 Jenny Kirchgatter, Zoning Division
 Bill Sullivan, Madison Fire Department
 Adam Wiederhoeft, Madison Water Utility
 Bryan Johnson, Recycling Coordinator

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Wells)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Water Utility
<input type="checkbox"/>	Metro Transit	<input type="checkbox"/>	Other: