



Department of Planning & Development  
**Planning Unit**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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April 4, 2006

Doug Nelson  
The Nelson Group  
2134 Atwood Avenue  
Madison, Wisconsin 53704

RE: Approval of a conditional use to allow construction of a new four-unit townhouse building at 4226 Owl Creek Drive in the Owl Creek subdivision (also referred to as 5165 Great Gray Drive).

Dear Mr. Nelson:

The Plan Commission, meeting in regular session on April 3, 2006, determined that the ordinance standards could be met and **approved** your request for a conditional use to allow construction of a new four-unit townhouse building at 4226 Owl Creek Drive, subject to the conditions below. In order to receive final approval of the conditional use, the following conditions must be met:

**Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following five items:**

1. Provide a 25-foot front setback to any landings above three feet from grade and from the roofed over front porch. (The pillars of the front porch shall not be closer than 25 feet from the front property line.) (Note: A roof overhang can project three feet into a required front yard.) Show the front setback to the nearest portion of the building.
2. Meet applicable State building and setback codes.
3. Show the bay windows on the site plan with side yard setbacks shown to property line. Meet the side yard requirement of 8'-9" to the bay window. (Note: A roof overhang can project two feet into a required side yard.)
4. Provide 2,000 square feet of usable open space to meet the Zoning Ordinance requirement for this project.
5. Note: The address of a residential building shall be taken off the street upon which it fronts per Section 10.34(2) of the Madison General Ordinances.

**Please contact Janet Gebert, City Engineering, at 266-4751 if you have questions regarding the following six items:**

6. Situs address is 5165 Great Gray Drive; please change all application materials to reflect this address. Unit addresses from west to east are: Unit 1: 5167 Great Gray Drive; Unit 2: 5169 Great Gray Drive; Unit 3: 5171 Great Gray Drive; Unit 4: 5173 Great Gray Drive. NOTE: Gray is the correct spelling, not Grey as shown on the site plan.

7. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
8. The applicant shall note that the right-of-way on Owl Creek Drive required to access the parking area has not been acquired. The City Engineer shall not sign off on this project until the right-of-way has been obtained and street improvements are completed.
9. A City licensed contractor shall perform all work in the public right-of-way.
10. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, other miscellaneous impervious areas.
11. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following three items:**

12. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
13. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.
14. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Please contact my office at 261-9632 if you have questions about the following four items:**

15. That no utilities, water meters, air conditioning units, telephone or electric equipment storage, or exhaust vents be located in any yard of the building adjacent to a public street. All equipment regardless of location shall be adequately screened from view.
16. That the building elevations be revised per Planning Unit approval to provide a revised north elevation that reduces its mass and improves the fenestration of the building along Great Gray Drive and provides aesthetic enhancements along both side elevations.
17. That the landscaping plan be revised per Planning Unit approval to include the planting of an additional conifer in the southwestern corner of the rear yard to further enhance the screening of the rear parking area and garage access and for additional perennials or groundcover to be planted along the base of the front wall for aesthetic enhancement.

18. That the developer design the affordable IZ unit, establish the sale price and comply with the 240-day marketing period as required by the Community Development Block Grant Office.

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

1. Please revise your plans per the above and submit *eight (8) copies* of a complete 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.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use.

If you have any questions regarding obtaining your demolition or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for this conditional use.

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*Signature of Applicant*

cc: Kathy Voeck, Assistant Zoning Administrator  
John Leach, Traffic Engineering  
Janet Gebert, City Engineer's Office  
John Lippitt, Madison Fire Department

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit (T. Parks)	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Other: CDBG Office