



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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October 15, 2019

Mark Udvari-Solner
Udvari-Solner Design Co.
2631 University Avenue
Madison, WI 53705

RE: Legistar #54396; Accela ID: 'LNDUSE-2019-00097' -- Approval of a Demolition Permit and Conditional Use to demolish an existing single-family residence and construct a new single-family residence exceeding 10,000 square-feet on a lakefront parcel at 5454 Lake Mendota Drive.

Dear Mr. Solner:

At its October 14, 2019 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your demolition and conditional use requests to demolish an existing single-family home and construct a new single-family home exceeding 10,000 square-feet on a lakefront parcel at **5454 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 Tim Troester of the Engineering Division at (608) 267-1995 if you have any questions regarding the following nine (9) items:

1. If a new sewer lateral is installed (old lateral not reutilized), the sewer connection to the MMSD sewer shall conform to all MMSD connection specification criteria. Contractor is responsible for taking out the MMSD connection permit as well as the permit connection fee if applicable. Add the following note to the plans: Contractor shall notify Ray Schneider (608)347-3628, rays@madsewer.org, 5 days prior to making the connection to the MMSD sewer to arrange for inspection of the connection.
2. All drainage shall be directed down the side yards to the lake.
3. It is unclear if the proposed boathouse as shown on C100 and the outdoor patio on L-1 are included in the proposed improvements. If they are included in the request additional details will be required.
4. Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.) This permit application is available and must be completed on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO10.08)
5. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by

the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

6. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
7. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
8. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
9. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Please contact Jenny Kirchgatter, the Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following seven (7) items:

10. The submitted plans note that an outdoor patio is under construction abutting the lake shoreline. Provide lot coverage information for the area within thirty-five (35) feet of the Ordinary High Water Mark (OHWM). Lot coverage within thirty-five (35) feet of the OHWM shall not exceed twenty percent (20%). Public paths within this area shall not be included in the lot coverage limit. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks. If the existing lot coverage currently exceeds 20% maximum within 35 feet of the OHWM, proposed site improvements may not further increase lot coverage above the maximum.
11. 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).
12. 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.
13. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
14. 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.

15. Show the depth of the roof overhangs as compared to the front and side yard setbacks. Roof eaves and gutters may project a maximum of 3 feet into the 20 foot front yard setback and 2 feet into the 7 foot side yard setbacks. Roof eaves and gutters are not allowed encroachments into the lakefront setback.
16. 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 Fire Department at (608) 261-9658 if you have any questions regarding the following item:

17. 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>

Please contact Brad Hofmann of the Parks/Forestry Division at (608) 267-4908 if you have any questions regarding the following item:

18. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or (608) 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction

Please contact Adam Wiederhoeft of the Water Utility at 608-266-9121 if you have any questions regarding the following two (2) items:

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.
20. 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.

Please contact my office at (608) 243-0554 if you have any questions regarding the following three (3) items:

21. The following information is provided for the reference of the applicant as many lakefront properties are associated with locations of Native effigy mounds and archaeological 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 catalogued 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 catalogued land contiguous to a catalogued 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.

22. The applicant shall provide clarifications on the design materials of the retaining walls. Final sign-off plans shall include dimensions and specify materials. Due to the height and proximity to property lines, walls shall include articulation and shall not be a "blank" wall. Details on the wall aesthetic shall be provided on sign-off plans for approval by the Planning Director or designee.
23. The applicant shall submit a landscape plan, which may include more plantings and/or trees in addition to the grassed turf, to be approved by City staff.

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 permits for your project:

1. Please revise your plans per the above conditions and submit **nine (9) 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, 215 Martin Luther King Jr. Boulevard. **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. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission. Where the plans have not been altered since issuance of the demolition or removal permit and the permit has expired, the Director of Planning and Community and Economic Development may, after

consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date.

1. A conditional use approval is valid for two (2) years 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. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to twelve (12) months from the expiration date.
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) 243-0554.

Sincerely,



Sydney Prusak
 Planner

- cc: Tim Troester, Engineering
 Jeffery Quamme, Engineering Mapping
 Sean Malloy, Traffic Engineering
 Jenny Kirchgatter, Zoning
 Bill Sullivan, Fire Department
 Brad Hofmann, Forestry
 Adam Wiederhoeft, Water Utility
 Bryan Johnson, Streets

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

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