



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

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May 6, 2014

Bill Dunlop  
JSD Professional Services  
161 Horizon Drive  
Verona, WI 53593

**RE: 3009 University Avenue and 3118 Harvey Street:** Approval to rezone a portion of 3118 Harvey Street to the CC-T District and approval of a conditional use to allow the construction of a fire lane to cross that property. This request also approves a conditional use to allow the construction of carports

Dear Mr. Dunlop:

The Common Council, meeting in regular session on April 29, 2014 approved your client's request to rezone a portion of 3118 Harvey Street from the TR-U1 (Traditional Residential-Urban 1 District) to the CC-T (Commercial Corridor Transition District). At their April 7, 2014 meeting, the Plan Commission approved your client's conditional use requests to construct a fire lane across the residentially zoned property at 3118 Harvey Street to provide access to the "Shorewood House" at 3009 University Avenue. A conditional use was also approved to allow the construction of carports serving the "Shorewood House" at 3009 University Avenue. The zoning map amendment and conditional use approvals are subject to the below conditions of approval that shall be satisfied prior to final approval and sign-off of the plans and the issuance of permits.

The approval letter for the two-lot certified survey map revising the common line between the subject properties (LD 1355) has been sent to you separately.

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following nine (9) conditions:**

1. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
2. Show and note on the Overall Site Plan and the individual site plans for 3009 University Avenue and 3118 Harvey Street the proposed Storm Water Easement and the Emergency Fire Lane Easement as per the pending Certified Survey Map of these sites.

3. The proposed Emergency Fire Lane Easement shall be recorded prior to issuance of any building permits.
4. Provide setback dimensions to the car port structures on the site plan.
5. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
6. 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. (POLICY)
7. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
8. All damage to the pavement on Harvey Street adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
9. 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. (POLICY and MGO 37.09(2)) 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, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).

**Please contact Eric Halvorson of the Traffic Engineering Division at 266-6572 if you have questions regarding the following five (5) conditions:**

10. Per City of Madison Fire Department the driveway on Harvey St is required to accommodate 28' turning radius of their trucks. With this in mind the driveway still needs to meet MGO which does not allow for such an oversized curb cut. Modify the entrance to conform to a typical entrance width and for the remainder of the radius use rolled curb and impervious surface.
11. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
12. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

13. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
14. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

**Please contact Bill Sullivan of the Madison Fire Department at 266-4717 if you have questions regarding the following condition:**

15. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

**Please contact Patrick Anderson of Zoning at 266-5978 if you have questions regarding compliance with the City's Zoning Code.**

**Please contact Kay Rutledge at 266-4717 if you have questions regarding the following four (4) conditions:**

16. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
17. No new street trees are required for this project – there is not enough space between existing trees and terrace sites are under high voltage power lines.
18. Existing street trees shall be protected. Please include the following note on the site plan:  
Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>.
19. This development is within the Garner park impact fee district (SI29). Please reference ID# 13173 when contacting Parks about this project.

**Please contact my office at 267-1150 if you have questions regarding the following item:**

20. The revised site, civil, and landscape drawings submitted March 19 to the UDC (and conditionally approved) have not been formally reviewed by City Agencies. Approval of the revised sheets by the Plan Commission is subject to additional comments by reviewing agencies on their review of this supplemental information. The CSM shall include the location of existing improvements, buildings, driveways as required by Section 16.23(7)

21. That the applicant receives variance approval so the accessory structures comply with applicable setbacks, or that the plans are revised to provide the required rear yard setbacks.
22. That the carport roofs be of a non-reflective character and that these details are provided for staff approval.
23. That details of the proposed fence be provided for staff approval.

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

**The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of building permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.**

**Please now follow the procedures listed below:**

1. Please revise your plans per the above conditions and submit eleven (11) 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, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. 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 letter shall be signed by the applicant and property owner to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/ or building permit approval.
3. 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. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.
4. 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. 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, after consultation with the Alderperson of the District, approve an extension for up to twenty-four (24) months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

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If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Janet Schmidt, City Engineering Division  
Eric Halvorson, Traffic Engineering Division  
Kay Rutledge, Parks Division  
Pat Anderson, Zoning  
Bill Sullivan, Fire

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<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 checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:

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

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner (if not the applicant)*