

PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
October 20, 2008

RE: I.D. #12298, Demolition Permit – 1422 Northport Drive

1. Requested Action: Approval of a demolition permit to demolish a grocery store with no proposed future use.
2. Applicable Regulations: Section 28.12 (12) provides the guidelines and regulations for the approval of demolition permits.
3. Report Prepared By: Kevin Firchow, AICP, Planner

GENERAL INFORMATION

1. Applicant and Contact: Daniels Construction, 3500 University Avenue; Madison, 53744
Property Owner: UW Credit Union; 3500 University Avenue; Madison, WI 53713
2. Development Schedule: The applicant wishes to proceed with the demolition as soon as possible.
3. Parcel Location: An approximately 226,000 square foot parcel located on the northeast side of Northport Drive, north of its intersection with Troy Drive; Aldermanic District 18; Madison Metropolitan School District.
4. Existing Conditions: The parcel includes two one-story commercial buildings. A take-out pizza restaurant (Pizza Hut) is located along the Northport Drive frontage. This building is not proposed for demolition. The second building, a former Brennan's Market, is located at the rear of the site and is proposed for demolition. This building is currently vacant.
5. Zoning: The property is zoned C1 (Limited Commercial District) and C2 (General Commercial District)
6. Proposed Use: No future use is proposed at this time. The applicant indicates that the long-term use of the site will be a UW Credit Union, but that will not occur until 2012. In the interim, the rear of the site would be planted with grass and a curb would be installed to keep vehicles from parking on the site.
7. Surrounding Land Use and Zoning:
North: Single-family residences, zoned R1 (Single Family Residence District)
South: Fast food restaurant and gas station, zoned C1 (Limited Commercial District) and C2 (General Commercial District)

East: Apartment complex, zoned R4 (General Residence District)

West: Dentist office, zoned C1 (Limited Commercial District)

8. Adopted Land Use Plan: The Comprehensive Plan recommends Neighborhood Mixed Use for this site.
9. Environmental Corridor Status: The site is not located within a mapped environmental corridor.
10. Public Utilities & Services: This property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the demolition and removal standards of Section 28.12 (12).

ANALYSIS, EVALUATION AND CONCLUSION

The applicant requests approval to demolish one of the two commercial buildings on the subject property. The building proposed for demolition was previously a Brennan's Market grocery store, but has been vacant for several months. This building sits at the rear of the property. The Pizza Hut building, located along the Northport Drive frontage would remain and is not proposed for demolition at this time. The applicant indicates that the long-term use of the site will be a UW Credit Union, but that redevelopment project would not occur until 2012 due to terms of the lease agreement with Pizza Hut. In the interim, the rear of the site would be planted with grass and a curb would be installed to keep vehicles from parking on the site, per the attached site plan.

The subject one-story frame commercial building was built in 1977. The City's Preservation Planner believes the building is of no architectural or historic significance. The applicant has provided interior and exterior photographs of the structure, showing various building deficiencies. The most significant problem, as described in the letter of intent, is water damage caused by the heavy snowfall of last winter. The applicant further notes repairing the structure is cost prohibitive. The Director of the Neighborhood Preservation and Inspection Division has toured the building and notes significant concerns regarding the condition of the structure. His comments are attached.

The applicant notes there have been multiple instances of break-ins and vandalism since the building was vacated. Based on the provided information, the existing chain-link fence does not appear to be an adequate measure to secure the site. It is likely that if the structure is not demolished, the building would need to be further boarded up and fencing enhanced until such a time that redevelopment occurs.

The applicant has provided a conceptual site plan for a future credit union development labeled "Site Study Option-D." This study includes the construction of two buildings and the demolition of the Pizza Hut building. As this is only a conceptual study, that applicant's overall proposal qualifies as a demolition with no proposed future use.

Under the revised demolition ordinance, the Plan Commission can approve a demolition with no proposed future use under one of two possible scenarios. The first scenario is that the Commission finds, based on evidence from the Madison Fire Department, Police Department, and/or Neighborhood Preservation and Inspection Division, that the existing structure provides a potential fire hazard, potential unlawful use of the property, potential public nuisance, or other public health and safety concern. The second scenario is that the Commission finds that the use, bulk, and design requirements of the existing zoning district are adequate to ensure that development will conform to existing adopted City plans.

Considering the first scenario, the Director of Neighborhood Preservation and Inspection and Captain of Police for the North District have provided comments noting their concerns with the existing vacant building. Staff believe this evidence could support a finding by the Plan Commission that this vacant building provides a potential public nuisance and other public health and safety concerns.

Considering the second scenario, Planning Division staff note that future development proposals would be subject to both the standards of C1 and C2 zoning along with other potential Plan Commission reviews. Staff anticipate the long-term credit union development would include a drive-through window, requiring a conditional use review by the Plan Commission. Additionally, if the Pizza Hut building were to be demolished as shown in the attached concept, Plan Commission approval would also be required. In addition to these reviews, staff recommend that a restrictive covenant be recorded on the property prior to issuance of a demolition permit, requiring construction of a new principal structure to be approved by the Plan Commission. Such a restriction ensures the Plan Commission the opportunity to review development for conformance with the adopted City plans and for any impacts on the normal and orderly development of surrounding properties.

The Comprehensive Plan recommends Neighborhood Mixed Use for this site. This proposal is not inconsistent with that recommendation. This site and the surrounding area are also recommended as a conceptual location for a Transit Oriented Development (TOD). The Comprehensive Plan characterizes a TOD as a compact, mixed-use development pattern that focuses the highest development densities and intensities in close proximity to high-capacity transit stops. Adopted policies related to Transit-Oriented Developments encourage a mix of residential, civic, retail, and office uses. Policy also encourages Transit-Oriented Developments to have buildings oriented toward the street with minimal setbacks from the sidewalk, depending on the established development pattern in the area and the level of "urbanism" desired at the site. Staff also note that an update to the area's neighborhood plan is underway, which may provide additional guidance in evaluating future development proposals on this site.

The proposed demolition has the support of the area alderperson and the Lake View Hill Neighborhood Association. Their letters are attached for the Plan Commission's consideration.

In conclusion, the Planning Division does not object to this demolition proposal. If the demolition were not approved, staff anticipate that additional measures such as boarding the building and additional fencing would be required to secure the property. This "boarded-up" condition would be present for at least four years. The alternative proposal of replacing the

building and parking with lawn would provide a more attractive interim solution. The applicant has expressed a willingness to provide some landscaping in this area, however, staff does not feel that such an investment would be necessary, provided redevelopment occurs within the general timeframe outlined. With demolition only occurring at the rear of the site, the continued use of the Pizza Hut building would preserve activity and some street presence along the Northport Drive frontage. A more comprehensive redevelopment solution involving the site's frontage could occur after 2012 and incorporate the recommendations of both the Comprehensive and Neighborhood Plans.

RECOMMENDATION

The Planning Division believes that the Plan Commission can find that the project meets all applicable demolition standards and **approve** the proposed request for a demolition permit, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the property owner executes a restrictive covenant prior to issuance of the demolition permit, which requires Plan Commission approval of the proposed alternative use of the property prior to issuance of building permits for any new construction. The standards for approval of the proposed alternative use shall be those in contained in Section 28.12 (12) of the Zoning Ordinance. The form of the restrictive covenant shall be approved by the Planning Division and City Attorney's Office.



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: September 26, 2008

TO: Plan Commission

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

SUBJECT: 1422 Northport Drive 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. N/A

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: 1422 Northport Drive 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 and Engineering Division records.
- ☐ 1.6 Submit a PDF of all floor plans to Lori Zenchenko lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire



Marshal.

- ☐ 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 this development. The Developer shall indicate the method of payment as provided below:
- 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 receive the invoices to pay the outstanding impact fees at the time of permit issuance. 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:

LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

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 the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. 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.
- d. 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.
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

- ☐ 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.
- ☐ 3.18. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816.

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.

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- ☒ 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 sign-off.

- ☐ 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 only 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) All Underlying Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words "unplatted"
 - h) Lot/Plat dimensions
 - i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred izenchenko@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

- ☐ 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 dedicated 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). 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 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.



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

October 13, 2008

TO: Plan Commission

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

SUBJECT: **1422 Northport Drive – Demolish – Grocery Store / No Proposed Use / Temp**

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. The applicant has submitted a temporary parking lot plan to the City of Madison to be reviewed with this Demolish.
2. The applicant shall submit a 1" = 20 ft detail drawing of signage and pavement marking to be maintain by the property owner with access to Northport Drive traffic signal as approved. In addition, a note shall be shown on the plan, "ALL PAVEMENT MARKING SHALL BE INSTALLED IN EPOXY AND MAINTIAN BY THE PROPERTY OWNER."
3. The access for driveway approaches is an important element in planning, design, and operation of roadways. Studies show that access points are the main source of crashes and congestion. Their location and design directly affect the safety and functional integrity of streets. Special design approaches at traffic signals must be maintained with signage and pavement marking to direct vehicles, limit delays and promote effective traffic signal coordination.

As a condition of approval for the special geometrically designed traffic signal approach at Troy Drive and Northport Drive, the property owner is required to install and maintain pavement markings and signs accommodating access at traffic signals. The Madison General Ordinance Sec. 10.08 (c) requires that the property owner shall be financially responsible and maintain pavement markings and signage required for special geometrically designed approaches and entrances, as approved for the commercial driveway approach. The approved special design approach to the Northport Drive & Troy Drive traffic signal requires pavement markings to accommodate two (2) egressing and one- (1) ingressing traffic lanes. In addition, two traffic signal loop detectors were installed for signal coordination to accommodate the egressing lanes from your property to Northport Drive and Troy Drive. The private driveway approach requires pavement markings missing that affect traffic signal coordination, and the marking will need to be re-installed immediately by the property owner.

The attached pavement marking drawing is required on the private driveway special design "Street Type Entrance" to accommodate the businesses and traffic signal coordination.

8

The egress was for two traffic lanes: lane measuring from the westerly face of curb easterly twelve (12) ft. (2) an additional ten to eleven (10 - 11) ft. lane as noted that is separated by a painted or epoxy six (6) inch white skip line ten (10) ft. in length and spacing of thirty (30) ft. for a distance of 120 ft. northerly starting from the twenty-four (24) inch white stop bar four (4) feet behind the crosswalk, with a one hundred and twenty (120) ft. double yellow line dividing the egress lanes from the ingress lane starting from the northerly edge of the cross walk. Six (6) inch white lines for the six (6) ft. wide crosswalk at the ramps shall be painted at the intersection of the street. You will find a sketch drawing attached showing the pavement markings to be installed and maintained as described in the above paragraph.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

4. At the time of redevelopment, the site shall be modified to provide a 20 ft wide public ped-bike easement from Northport Dr. to the back property line, to service the property and for future ped-bike connections into the neighborhood. The exact alignment shall be reviewed and approved by the Traffic Engineer.
5. At the time of redevelopment, the site shall be modified to provide sidewalks on both sides of the entry drive.
6. The applicant shall indicate the type of bicycle racks to be installed location of both proposed and existing.

GENERAL OR STANDARD REVIEW COMMENTS

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

7. When the applicant shall submit plans for 1410, 1422, 1426, and 1434 Northport Drive, 1500 to 1564 Troy Drive, approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing and proposed property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, all driveway approaches, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.
8. The applicant shall provide scaled drawing at 1" = 40' or larger on one contiguous plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, semitrailer and vehicle movements, ingress/egress easements and approaches.
9. The applicant shall show the dimensions for proposed and existing parking stalls' items A, B, C, D, E, F, and degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. Signs and planting areas are to be excluded from the rectangular stall areas including the two (2) feet of vehicle overhang. The two (2) feet of vehicle overhang shall be shown on the plan and dimensioned.
10. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan. The applicant will need to show all approved sign on site as approved by the City of Madison.

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

Contact Person: Fran Reible
Fax: 271-4570
Email: freible@danielsco.com

DCD: DJM: dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: October 20, 2008

To: Plan Commission

From: Patrick Anderson, Assistant Zoning Administrator

Subject: 1422 Northport Drive

Present Zoning District: C-1 / C-2

Proposed Use: Demolish of former grocery store with no proposed use.

Conditional Use: 28.12(12) The demolition of principal buildings requires Plan Commission approval.

1. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
2. Submitted landscape plan does not match the site plan. For parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. Note: The landscape points worksheet has been changed regarding point value of landscape elements. Please get a new copy from us. The required trees to not count toward the point total.
3. Lighting is not required. However, if it is provided, it must comply with the attached ordinance. Lighting will be limited to .08 watts per square foot.
4. The site is a Planned Commercial site, where cross-access is shared with several properties. An overall site plan must be submitted showing all properties in this Planned Commercial site and those close to this site. Please contact Pat Anderson in the Zoning office to discuss this request.
5. No land use is currently proposed for the site. Any future use of the site must comply with the C-1 District standards.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	94,600 sq. ft.
Lot width	50'	225.20'
Usable open space	N/A	N/A
Front yard	25'/25 from residential	Adequate
Side yards	5' (residential side)	TBD
Rear yard	10'	Adequate
Floor area ratio	3.0	Less than 1.0
Building height	---	1 story

Site Design	Required	Proposed
Number parking stalls	N/A	N/A
Accessible stalls	N/A	N/A
Loading	N/A	N/A
Number bike parking stalls	N/a	N/A
Landscaping	Yes	(2)
Lighting	No	(3)

Other Critical Zoning Items	
Urban Design	No
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	Yes
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

Firchow, Kevin

From: McLay, Cam
Sent: Tuesday, October 14, 2008 2:18 PM
To: Firchow, Kevin; 'Kerry Mann'
Cc: Ackeret, Brian; Knight, Trevor; Thurber, Mary Anne; Schumacher, Michael
Subject: RE: 1422 Northport Drive

Kevin / Kerry,

The police department would prefer that a building not remain vacant for extended periods of time. When this occurs, it commonly becomes a site for vandalism, loitering or other forms of criminal behavior. Empty spaces, however, can also be problematic as well, if not well planned.

We can support the early demolition as long as:

1. The demolition were to occur with the usual safe-guards to keep the public out of the area throughout the demolition process.
2. There is a plan to make effective use of this space post-demolition to prevent it from becoming a loitering place suitable for drug dealing, drinking, and other illegal activities. Acceptable plans from my perspective would need to include lighting for the area, and either "No Trespassing" signage or some type of plans to put the area to positive use. I would like the opportunity to review such plans before they were finalized.

I would be happy to speak with you further on this issue if you so desire.

Cam

Cameron S. McLay, Captain of Police
Madison Police Department, North District Commander
(608)245-3652

I was wondering if PD had any comments on the vacant Brennan's Market demo. Please let me know positive or negative comments. Thanks.

Kevin Firchow, AICP

Planner, Planning Division

City of Madison Department of Planning &
Community and Economic Development

608.267.1150 (p)
608.267.8739 (f)

Madison Municipal Building Suite LL-100
215 Martin Luther King, Jr. Blvd.
PO Box 2985
Madison, Wisconsin 53701-2985

From: Kerry Mann [mailto:KMann@uwcu.org]

10/14/2008



Alder Michael Schumacher
Office of the Common Council

517 Nova Way
Madison, Wisconsin 53704
Home Tel: (608) 242-1779
mschumacher@cityofmadison.com

City-County Building, Room 417
210 Martin Luther King, Jr. Blvd.
Madison, Wisconsin 53703-3345
Office Tel: (608) 266-4071

August 4, 2008

George Hank, Director
Building Inspection Unit
Madison Municipal Building
215 Martin Luther King Jr. Blvd., Suite LL 100
Madison, WI 53703

Dear George

I am writing in support of granting a building permit for the old Brennan's building on Northport Drive in my district.

To my understanding, the building is structural compromised and has been subjected to several break-ins. A demolition permit for the new owners, UW credit Union, will eliminate the potential hazard.

Please contact me if you have any questions.

Respectfully,

Michael T. Schumacher
Northside Alder, District 18
City of Madison

COPY

City of Madison Planning Committee
Madison Municipal Building
215 Martin Luther King, Jr. Blvd.
Madison, WI 53703

September 1, 2008

To Whom It May Concern:

The Lake View Hill Neighborhood Association is excited at the prospect of having our own UW Credit Union branch on the north side. Although we were saddened when Bremmans chose not to repair their damaged building, we can certainly understand their business decision and look forward to working with UWCU as they become integrated into our neighborhood.

The site selected is a very special one, not just for its beauty but also for some of its challenges, butting up to a greenway, close to a nature conservancy, and at the bottom of a very steep hill. Water run-off is an issue here and we hope that the UWCU can explore the use of porous concrete and landscaping features to keep impervious surfaces to a minimum. Also, the greenway buffer could offer an opportunity for public access from the Drewry Lane/Esch addition parcel, providing the immediate neighborhoods easy, walkable access to the branch. Down the road, a walkway would also provide a safe way to have children reach the controlled intersection on Northport to get to the proposed Warner Park pool.

But, first things first. An empty building, especially one that is in disrepair, is an attractive nuisance at best and a dangerous hazard at worst. Fencing, locks, and bolts have been installed and we appreciate the concern for safety, but it would be best to get the building taken down as soon as possible. We are hoping that a demolition permit can be secured quickly so work can begin.

The Lake View Hill Neighborhood Association would like to welcome the UW Credit Union to the best neighborhood in Madison and we look forward to working with Alderman Schumacher to help make this the best decision you ever made!

Sincerely,


Char Tortorice
President, LVHNA



Department of Planning & Community & Economic Development
Building Inspection Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2984
Madison, Wisconsin 53701-2984
TTY/TEXTNET 866 704 2318
FAX 608 266 6377
PH 608 266 4551

DATE: October 16, 2008

TO: Plan Commission

FROM: George C. Hank, Director
Building Inspection Division

SUBJECT: 1422 Northport Drive – Brennan's Market

On October 14, 2008, I inspected the former Brennan's Market located at 1422 Northport Drive on Madison's Northeast side. The building has been vacant since last winter when heavy snows caused a structural failure of the roof, including a major glue-laminated beam. The beam is located in the cheese and liquor area of the store, near the rear of the building. The glue-laminated beam has several longitudinal cracks and had dropped approximately three inches near the rear wall. Multiple 6" X 6" posts temporarily support the beam.

The inspection also revealed that the rear wall located behind the wall coolers has rotted away to the point where the entire rear wall would have to be replaced. Studs and exterior wall sheathing can be crushed and pulled away with minimal hand pressure.

The building was designed and built with a single use in mind. Half of the building was used as a roofed open-air market. Overhead doors could be closed and the area minimally heated for winter use. The original design does not lend itself to easy renovation and/or change of use.

I am writing to urge support for the issuance of the Demolition Permit.

cc: Kerry Mann
UW Credit Union
P.O. Box 44963
Madison, WI 53744-4963