



## Report to the Plan Commission

November 22, 2010

**Legistar I.D. #20587**  
**1902 Northport Drive**  
**Demolition Request**

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval of the demolition of a commercial building in the C2 (General Commercial) District.

**Applicable Regulations & Standards:** Section 28.12(12) provides the guidelines and regulations for the approval of demolitions.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission finds that the demolition standards can be met and **approve** the request for the demolition of a commercial building and construction of a new commercial building.

### Background Information

**Applicant:** John Walsh; TJS Ventures, LLC; 5201 East Terrace Drive, Suite 375; Madison, WI 53718

**Project Contact:** John Bieno; TJK Design Build; 634 W Main Street; Madison, WI 53703

**Property Owner:** PDQ Food Stores; PO Box 620997; Middleton, WI 53597

**Proposal:** The applicant is requesting to demolish an existing commercial building for construction of a new commercial building in the C2 (General Commercial) District.

**Parcel Location:** 1902 Northport Drive is located on the northeast corner of Northport Drive and Dryden Drive; Aldermanic District 12 (Rhodes-Conway); Madison Metropolitan School District.

**Existing Conditions:** The 1-acre parcel currently has a single-story commercial building surrounded by an asphalt surface parking lot. There are currently two access driveways: one from Dryden Drive on the west, and the other from Northport Drive in the southeast portion of the site.

### Surrounding Land Use and Zoning:

**North:** Immediately to the north, an access driveway for the UW-Clinic just east of this site. Across the driveway and Londonderry Drive, a 101-unit apartment building in the PUD-SIP (Planned Unit Development-Specific Implementation Plan) District, and Single-Family homes in the R1 (Single-family Residence) District

**East:** UW-Clinic and a bank in the C2 (General Commercial) District

**South:** Across Northport Drive, a fast food restaurant in the C2 (General Commercial) District, and the 140-unit Packers Apartments complex in the R4 (General Residence) District

**West:** Across Dryden Drive, the 190-unit Northport Apartments complex in the R4 (General Residence) District

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends Neighborhood Mixed-Use (NMU) for this property. The Northport Warner Park Sherman Neighborhood Plan (2009) does not have a more specific recommendation for this property.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

**Public Utilities and Services:** The property is served by a range of urban services, including Metro Transit Routes 21 and 22.

**Zoning Summary:** The property is in the C2 (General Commercial) District.

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	42,731 sq. ft.
Lot width	50'	Adequate
Front yard	0'	3' 2"
Side yards	0'	7' and 15'
Rear yard	40'	112' 6"
Floor area ratio	3.0	Less than 1.0

**Site Design**

No. Parking stalls	TBD (uses not defined)	48
Accessible stalls	2	2
Loading	1 (10' x 35' area)	1 (10' x 35' area)
No. Bike Parking stalls	5	6
Landscaping	Yes	As per plan (See Page 7, Condition No. 23)
Lighting	Yes	As per plan (See Page 7, Condition No. 26)

**Other Critical Zoning Items**

Urban Design	No
Historic District	No
Landmark Building	No
Floodplain	No
Utility Easements	None shown
Barrier free (ILHR 69)	Yes

*Prepared by: Pat Anderson, Assistant Zoning Administrator*

**Project Description**

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**Existing Conditions**

The 1-acre parcel currently has a vacant, single-story commercial building with a drive-through window surrounded by approximately 55 surface parking stalls. The approximately 3,500 square foot building was constructed in 1982, and has operated as a few different fast food restaurants through the years. The building is in fair condition, structurally. There are currently two access driveways: one from Dryden Drive on the west, and the other from Northport Drive in the southeast portion of the site. Minimal landscaping on the site includes a tree adjacent to the access driveway from Northport Drive, and a tree just east of the existing building.

**Demolition**

As proposed, demolition will result in a "blank slate", with the removal of the existing building and the asphalt parking lot, the elimination of the access driveway from Northport Drive and the removal of the access driveway from Dryden Drive (to be relocated slightly to the south).

**Site and Building Plans**

A new, single-story multi-tenant commercial building is proposed for the site, with one new access driveway from Dryden Drive leading to a 48-stall surface parking lot behind the building. The proposed building has approximately 13,000 square feet of retail space with up to five tenant spaces, and is located within approximately 3 feet of the Northport Drive right-of-way and 7 feet of the Dryden Drive right-of-way, providing direct pedestrian connections to both streets. The single-story building is approximately 18 feet tall from the ground to the top of the parapet, with a small 26-foot "tower" element to differentiate the southeastern corner of the building.

The existing access driveway from Dryden Drive is relocated slightly to the south, leading to a 48-stall rear parking lot. The existing access driveway from Northport Drive is to be removed, and will instead be occupied by the eastern portion of the proposed building. A new pedestrian connection leads from the public sidewalk Northport Drive along the eastern portion of the building, and additional pedestrian connections lead to separate southern entrances for each tenant space.

**Entrances and Openings** - There are eleven total entrances to the building: six along the south façade with access from the public sidewalk along Northport Drive, and five along the north façade with access from the parking lot. As proposed, the entrances facing Northport Drive will be operable, with each tenant having the option of whether to leave them locked or unlocked during business hours. Commercial storefront windows eight feet in height are evenly spaced on all four sides of the building, and a small row of clerestory windows is included on the west and south sides of the corner “tower” element.

**Exterior Materials** - The building has a split-face concrete block base on all four sides, extending vertically through the middle portion of the building, and a band of EIFS proposed on the top. Brick veneer is proposed on the middle and top of the building around each entrance, leading to the predominant parapet height of just over 18 feet. The southwest corner includes a 26-foot high “tower” element with EIFS and a row of clerestory glass windows on the south and west sides. Corrugated metal awnings are proposed over each building entrance.

**Landscaping** - The landscape plan includes low plantings around the foundation of the building, a cluster of deciduous shrubs and evergreens in the northwest corner of the site, and six deciduous canopy trees in interior parking lot islands.

### **Public Input**

Staff has not received written public comment on the project, but understands that the Alder and Neighborhood Association generally support the proposal. In addition, a nearby resident offered her support of the project in a November 16 telephone conversation with staff.

## **Evaluation and Conclusion**

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### **Demolition and Proposed Use**

While there are very few redeemable qualities in the existing building and site design, it is somewhat surprising to see a building not yet 30 years old proposed for demolition. Overall, staff believes that the demolition of the existing building and replacement with a larger commercial building well-oriented to the streets presents a substantial improvement at this corner, and hopes that the proposed building will outlast the existing building by several decades.

The proposed building is consistent with the requirements in the C2 District and generally consistent with recommendations in the Comprehensive Plan for Neighborhood Mixed-Use (NMU) areas. While buildings at least two stories tall are strongly encouraged, the narrative relating to the NMU recommendation notes that some one-story buildings are acceptable.

This particular site is within a quarter mile of over 800 residential units, and while the proposed commercial building may attract primarily automobile traffic, it provides a retail destination within easy biking and walking distance for many. Removal of the existing drive-thru facility will lead to a less auto-oriented destination than the various restaurants who have occupied the existing building in the past.

### **Site and Building Plans**

The proposed building is a considerable improvement for this site, where the neighborhood association has long-awaited a new tenant or redevelopment effort. While the NMU land use recommendation would certainly support a two to three-story building, the applicant can only commit to a one-story building, which staff believes is acceptable at this location. While not a functional second story, the taller “tower” element to the southwestern corner sets it apart from the rest of the building and provides for additional interior lighting. The masonry base and brick portions of the exterior constitute a significant improvement over the materials on the existing building, which is fully covered in an exterior insulated finish system and in poor condition.

As is recommended for NMU areas, the building has been designed to create strong pedestrian connections to Northport Drive, with six individual entrances on the south side, each linked to the public sidewalk. The applicant had indicated that each tenant will have an option to utilize either the northern, southern, or both entrances to their individual tenant space. It is likely that, given this option, tenants may decide to limit functional entrances to the north side of the building facing the parking lot. Staff would prefer to see the southern entrances guaranteed to remain unlocked and operable during business hours. However, the proposed sidewalk leading along the east side of the building guarantees that even if southern entrances are locked, pedestrians coming from the east have an easily accessible route to the northern building entrances. In any case, staff recommends that the Plan Commission require that all southern doors and windows remain *visually* transparent, uncovered by signage or other opaque materials within at least five feet of the glass on the interior.

Planning Division staff recommends that the Plan Commission finds that the demolition standards can be met, and **approve** the request subject to input at the public hearing and conditions from reviewing agencies.

### **Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

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#### **Planning Division Recommendation** (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the demolition standards can be met and **approve** the request subject to input at the public hearing and the following conditions:

#### **Planning Division** (Contact Heather Stouder, 266-5874)

1. All doors and windows on the south side of the building shall remain uncovered by signage or other opaque materials within at least five feet of the glass in the interior spaces.

#### ***The following conditions have been submitted by reviewing agencies:***

#### **City Engineering Division** (Contact Janet Dailey, 261-9688)

2. The applicant shall coordinate with the City of Madison/WISDOT reconstruction project. Contact Steve Sonntag at 267-1997.
3. Applicant shall show the limits of the existing public sanitary sewer easement on the site plans, including reference to the following Register of Deeds Document Number(s) 0504964, 1773982 and 1773983 that created the same. The adjacent property redeveloped in the recent past and additional easement width was required (increasing from twelve (12) to twenty (20) feet) due to insufficient existing easement widths. The Applicant shall also provide an access easement to the City through the parking lot area to allow for maintenance and cleaning of the existing public sanitary sewer main. Please coordinate this necessary easement work with Engineering Division Land Records Coordinator Eric Pederson ([epederson@cityofmadison.com](mailto:epederson@cityofmadison.com) or 266-4056).

4. With this plan removing the access drive to Northport Drive and moving it to Dryden Drive, 10.34 Madison General Ordinances require the address for the site be assigned to Dryden Drive. The new primary situs address assigned to this property will be 3121 Dryden Drive. In accordance with 10.34 MGO – STREET NUMBERS: Coordinate tenant spaces by submitting a PDF of floor plans to Engineering Mapping Lori Zenchenko (addressing@cityofmadison.com) so that an interior addressing plan may 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.
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. 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).
7. 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.
8. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, 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 (NOTIFICATION).
9. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:
  - a) Control 40% TSS (20 micron particle) off of new paved surfaces.
  - b) Provide oil & grease control from the first 1/2" of runoff from parking areas.
  - c) 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 MGO Chapter 37.Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
10. 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 Misc. 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 namesAll other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred [addressing@cityofmadison.com](mailto:addressing@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 (POLICY and MGO 37.09(2) & 37.05(4)).

11. 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
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)

12. 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 (POLICY and MGO 37.09(2)).

13. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. (MGO 10.05(6)) and MGO 35.02(4)(c)(2)).
14. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7).
15. 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 (POLICY).
16. 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. (MGO 16.23(9)(d)(4)).

Permit applications for Nos. 13 through 15 above are available on line at:  
<http://www.cityofmadison.com/engineering/permits.cfm>.

**Traffic Engineering Division** (Contact John Leach, 267-8755)

17. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, 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'.
18. A "Stop" sign shall be installed at a height of seven (7) feet at the driveway approach. 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 relocate the "STOP" from the right-of-way to other side of the property line.
19. Public and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

20. 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.
21. Sec. 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
22. Show addresses of tenant spaces on the building of the final site plan pursuant to MGO Section 10.34(2). Put addresses of the buildings and number of units in each building on the site plans. The setback dimensions shall be from the nearest portion of the building. (A deck that is higher than 3' above grade, or a covered porch, if closer than the principal building, shall have the dimension to the property line. Address information can be obtained from Lori Zenchenko of City engineering at (608) 266-5952.
23. Provide a detailed landscape plan. Show species and sizes of landscape elements. Within 10' from a driveway crossing of a street lot line, any landscaping/screening shall not exceed 2' in height for vision clearance. No landscape elements shall be maintained between the heights of 30 inches and 10 feet above the curb level within the 25' vision triangle of a street corner.
24. Bike parking shall comply with MGO Section 28.11. Provide bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. NOTE: A Bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
25. Meet all applicable State accessibility requirements, including but not limited to:
  - a) Provide a minimum of two accessible stalls striped per State requirements. These stalls shall be a van-accessible stall 8' wide with an 8' striped out area adjacent to and on the passenger side. One each for the surface and underground parking areas.
  - b) Show signage at the head of the stalls.
  - c) The stalls shall be as near the elevator as possible.
26. Lighting is required and shall be in accordance with MGO Section 10.085. Provide a plan showing at least 0.5 foot candle on any surface on any lot and an average of 0.75 footcandles. The maximum light trespass shall be 0.5 fc and 10 ft from the adjacent lot line (see City of Madison lighting ordinance).

**Fire Department** (Contact Bill Sullivan, 261-9658)

27. MFD recommends going above the code minimum to provide automatic sprinklers. The following uses will be prohibited without sprinklers in the building:

- Restaurants exceeding 5,000 sq ft or allowing 100 occupants or more;
- Mercantile exceeding 12,000 sq ft or any display of upholstered furniture;
- Other assembly occupancies exceeding 12,000 sq ft or 300 or more occupants

*Note: The applicant is proposing a fully-sprinklered building.*

**Water Utility** (Contact Dennis Cawley, 261-9243)

28. The Madison Water Utility shall be notified to remove the water meter prior to demolition. 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.

**Metro Transit** (Contact Tim Sobota, 261-4289)

29. The applicant shall install and maintain a concrete passenger boarding pad on the north side of Northport Drive, east of Dryden Drive. The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.

30. The applicant shall include the location of these passenger amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.

31. Metro Transit operates daily transit service along Northport Drive through the Dryden Drive intersection. Bus stop ID#5164 is adjacent the proposed project site, with the signed bus stop zoned running from the existing bus stop sign location forward to the signalized intersection.

32. Metro Transit notes that any formal or informal seating amenity that the developer might choose to incorporate into the landscaping plan in the area behind the sidewalk opposite the passenger boarding pad location would be welcome, and could orient passengers to wait in this area.