PLANNING UNIT REPORT DEPARTMENT OF PLANNING AND DEVELOPMENT August 1, 2005

RE: I.D. #01687, Demolition Permit - 2844 Commercial Avenue

- 1. Requested Action: Approval of a demolition permit for a single-family residence at 2844 Commercial Avenue and a conditional use to allow construction of a new four-unit townhouse.
- 2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits. Section 28.08 (5) identifies multi-family dwellings as conditional uses in R4 zoning. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
- 3. Report Drafted By: Timothy M. Parks, Planner

GENERAL INFORMATION:

- 1. Applicant & Property Owner: Erich E. Haak; PO Box 773; Sun Prairie, Wisconsin 53590.
 - Agent: Jim Glueck, Glueck Architects; 116 N. Few Street; Madison, Wisconsin 53703
- 2. Development Schedule: The applicant has not provided a timeline for development.
- 3. Parcel Location: An approximately 13,640 square-foot parcel located at the northwest corner of N. Oak Street and Commercial Avenue; Aldermanic District 15; Madison Metropolitan School District.
- 4. Existing Conditions: The site is developed with an existing single-family residence, zoned R4 (General Residence District).
- 5. Proposed Use: A new four-unit townhouse.
- 6. Surrounding Land Use and Zoning:

North: Apartment buildings, zoned R4 (General Residence District);

South: Single-family residences, zoned R4;

<u>East:</u> Apartment buildings along N. Oak Street, single-family residences along Commercial Avenue, zoned R4;

West: Single-family residences, zoned R4.

7. Adopted Land Use Plan: Most of this block is identified as "Residential, Low to Medium Density, Single Unit" with the exception of the eastern edge of the block adjacent to N. Oak

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Street, which is identified as "Residential, Low to Medium Density, Mixed Unit" according to the 1988 <u>Land Use Plan</u>. This residential classification envisions 8-15 units per acre. The site is also located within the limits of the <u>Emerson East- Eken Park Neighborhoods Plan</u>, which did not specifically identify the site for redevelopment or call for the property to be downzoned from the current R4.

- 8. Environmental Corridor Status: This property is not located within a mapped environmental corridor.
- 9. Public Utilities & Services: This property is served by a full range of urban services

STANDARDS FOR REVIEW:

This application is subject to the demolition standards of Section 28.04 (22) and the conditional use standards of Section 28.12 (11).

ANALYSIS, EVALUATION AND CONCLUSION:

The applicant is requesting approval of a demolition permit to demolish an existing two-story single-family residence located on at 0.31-acre parcel located at the northwest corner of N. Oak Street and Commercial Avenue. The property is an approximately 112-foot wide and 122-foot deep lot zoned R4 (General Residence District). An accessory detached one-car garage will also be demolished. The residence is located in the northwestern corner of the property and is set back about 70 feet from Commercial Avenue. The area surrounding the subject site is characterized by predominantly multi-family residential uses located north and east of the subject and predominantly single-family residences to the south and west.

The applicant proposes to replace the single-family residence with a four-unit townhouse building that will face Commercial Avenue. The building will be a two-story structure topped with a hip roof with smaller gables provided for accent, and will be faced with horizontal lap siding on all four elevations. Each unit will have an individual entrance from Commercial Avenue via a raised stoop. The slope of the site falls slightly from rear to front, allowing for partially exposed basements to be provided. The two end units of the structure will contain three bedrooms and 2.5 baths, while the two interior units will each have two bedrooms and 1.5 baths. All four units will be provided with an attached, rear-loaded single-car garage accessed from a driveway that will be provided from N. Oak Street. In addition, a fenced private courtyard will be provided adjacent to each garage to serve as private yard space for the individual units. Four surface parking spaces are also proposed along the northern property line via the same driveway.

Landscaping for the new townhouse building will include a variety of shrubs and perennials to be planted along the base of the front (south) wall of the building and the planting of three white pine and two honeylocust trees to be planted around the rear parking area. An existing four-foot tall chain link fence is proposed to remain along the rear and western side property lines. The Planning Unit recommends that the fencing along the northern property line be replaced with a six-foot tall solid wood fence to better screen the rear parking area. Staff also requests that the

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landscaping plantings in the front yard be extended along the N. Oak Street side of the townhouse and that all exterior utility and mechanical pedestals be screened from public view.

The applicant indicates that the house was "badly damaged by a recent fire" as grounds for the proposed demolition. Pictures provided by the applicant show some of the fire damage to the structure. However, the applicant did not provide an inventory of interior building damage or a cost estimate to repair the building.

The proposed townhouse appears to meet the R4 zoning requirements for bulk and density, and at 12.8 units per acre, appears to comport to the density recommended by the 1988 <u>Land Use Plan</u>. Staff considers the new structure to be an aesthetically appropriate addition to the neighborhood, which features a diverse array of building types ranging from 1950s era multifamily buildings to the north and northeast of the site, to the predominantly one-story single-family homes to the south and west. The proposed building relates well to both street facades and represents high quality infill development. In closing, the Planning Unit believes that both the demolition standards and the conditional use standards are met with this project.

Included in the Plan Commission materials is a letter to the applicant from Larry Palm, District 15 alder generally expressing support for the project, though the alder requests that the applicant consider developing these units as condominiums and that pervious surfaces and a rain garden be integrated into the plan to increase ground water infiltration in the Starkweather Creek watershed. The applicant is asked to consider these recommendations and to discuss his ability to incorporate these recommendations with the Plan Commission.

A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of wrecking permit.

RECOMMENDATION

The Planning Unit recommends that the Plan Commission find that the demolition and conditional use standards are met and **approve** demolition of single-family residence at 2844 Commercial Avenue to allow construction of a four-unit townhouse subject to input at the public hearing and the following plan conditions:

- 1. Comments from reviewing agencies.
- 2. That no utilities, water meters, air conditioning units, telephone or electric equipment storage, or exhaust vents be located in any yard of the building adjacent to a public street. All equipment regardless of location shall be adequately screened from view.
- 3. That a photometric plan and lighting specifications sheet be submitted for staff approval; the plans should show full shielding and cutoffs to prevent light trespass onto adjoining properties and the public right of way.

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- 4. That a revised landscaping plan be submitted for staff approval showing additional shrub and perennial plantings around the southeast corner and along the east wall of the proposed townhouse.
- 5. That the four-foot tall chain link fence along the north property line be replaced with a six-foot solid wood fence per staff approval.



Office of the Common Council

City-County Building, Room 417 210 Martin Luther King, Jr. Blvd. Madison, Wisconsin 53703-3445

Office: 608 266 4071 FAX: 608 267 8669 TTY: 608 267 8670 council@cl.madison.wi.us

July 11, 2005

Erik Haak P.O. Box 773 Sun Prairie, WI 53590

Dear Mr. Haak:

I have received your plans for a four-unit development at 2844 Commercial Avenue. While I appreciate the detail and dedication to providing a development that enhances the corner of Commercial and North Oak, I would like to express some concerns that I have.

First, as you know, the Eken Park Neighborhood Association is interested in increasing the number of owner-occupied housing opportunities that are available, especially on the east side of our neighborhood. I hope you continue to consider developing these units as a condominium opportunity.

Second, I requested two environmental concepts to be included in your plan: pervious surfaces in the driveway and a rain garden. I did not see these items in your plan. This property is very close to Starkweather Creek, the watershed for over one-third of Madison and some surrounding areas. It is very important that we increase the base-flow of the creek, and redirecting water away from the sewer to ground water infiltration will enhance and preserve the creek. Again, I strongly encourage you to consider these ideas. Information about rain gardens can be found on the Dane County website at http://www.countyofdane.com/lwrd/lakes/raingarden.shtml.

Otherwise, I wish you luck with this development and encourage you to continue to be an active and careful landlord in our neighborhood. If you have any questions, please contact me at 284-1508 or lpalm@cityofmadison.com.

Sincerely.

Larry Palm

Alder, District 15

cc: Kitty Bonde, Co-Chair, Eken Park Neighborhood Association
Brad Murphy, Director, Planning Unit
Ald. Lauren Cnare, Plan Commission Member
Michael Forster-Rothbart, Plan Commission Member
John Steines, Co-Chair, Friends of Starkweather Creek



Traffic Engineering Division

David C. Dryer, City Traffic Engineer

Madison Municipal Building 215 Martin Luther King, Jr. Boulevard P.O. Box 2986 Madison, Wisconsin 53701-2986 PH 608/266-4761 TTY 608/267-9623 FAX 608/267-1158

July 21, 2005

TO:

Plan Commission

FROM:

David C. Dryer, P.E., City Traffic Engineer

SUBJECT:

2844 Commercial Avenue - Conditional Use / Demolish - Townhouses

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. None

GENERAL OR STANDARD REVIEW COMMENTS

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

2. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stallst, 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'.

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

Contact Person: Jim Glueck

Fax: 251-2550

Email: Glueckarch@sbcglobal.net

DCD:DJM:dm

CITY OF MADISON INTERDEPARTMENTAL CORRESPONDENCE

Date: July 16, 2005

To:

Plan Commission

From:

Kathy Voeck, Assistant Zoning Administrator

Subject:

2844 Commercial Avenue

Present Zoning District:

R-4

Proposed Use: Demolish a single family house and build a 4 unit townhouse building

Conditional Use: 28.04(22) Demolition of a principal building requires Plan Commission Approval. 28.08(5)(c)6 requires that multi-family residential buildings are a conditional use.

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). **NONE**.

GENERAL OR STANDARD REVIEW COMMENTS

- 1. Provide a grading plan of the lot to show that usable open space requirements can be met on the lot in the amount 2,000 square feet. Usable open space shall be in a compact area of not less than 200 square feet, having no dimensions less than 10 feet and having a slope no greater than 10 percent. The required front yard and required street side yards do not count toward usable open space.
- 2. Lighting is required for this project. Provide a plan showing at least .25 footcandle on any surface of the lot and an average of .75 footcandles. (See City of Madison lighting ordinance)

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	9,000 sq. ft.	13,644 sq. ft.
Lot width	50'	111.63'
Usable open space	2,000 sq. ft.	(1)
Front yard	25'	25'
Side yards	8' 6" each side (zoning code)	10' and 9' 9"
Rear yard	35'	40' 7"
Floor area ratio	n/a	n/a
Building height	2 stories/35'	2 stories/27' av. mean

 $F: \label{local:$

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Site Design	Required	Proposed	
Number parking stalls	7	8	
Accessible stalls	n/a (townhouse)	n/a	
Loading	n/a	n/a	
Number bike parking stalls	4	provided in garages	
Landscaping	as shown	adequate	
Lighting	Yes	(2)	

Other Critical Zoning Items	PARTICLE STATE OF THE STATE OF
Urban Design	No
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	No
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	No

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

CITY OF MADISON MADISON WATER UTILITY

119 East Olin Avenue 266-4651

MEMORANDUM

Date: July 6, 2005

To:

Bill Roberts - Planning & Development

From:

Dennis M. Cawley, Engineer IV - Water Utility

Subject:

DEMOLITION / CONDITIONAL USE-2844 Commercial Avenue

Madison Water Utility has reviewed this demolition / conditional use request and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS

None

GENERAL OR STANDARD REVIEW COMMENTS

- 1. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
- 2. This proposed use will require the installation of a new water service lateral. The existing ³/₄" lateral is not adequate for a four unit building.

The Water Utility will not need to sign off the final plans, nor need a copy of the approved plans.

Dennis M. Cawley



Department of Public Works City Engineering Division

608 266 4751

Larry D. Nelson, P.E. City Engineer

Robert F. Phillips, P.E.

Principal Engineers
Michael B. Dalley, P.E.

Deputy City Engineer

City-County Building, Room 115 210 Martin Luther King, Jr. Boulevard Madison, Wisconsin 53703 608 264 9275 FAX 608 267 8677 TDD Principal Engineers
Michael R. Dalley, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor Kathleen M. Cryan

Hydrogeologist Joseph L. DeMorett, P.G.

GIS Manager David A. Davis, R.L.S.

DATE:

July 19, 2005

TO:

Plan Commission

FROM:

Larry D. Nelson, P.E. City Englade

SUBJECT:

2844 Commercial Avenue Conditional Use and 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	•	* 1	- et		45° 51\ 1 40°	

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: 2844 Commercial Avenue Conditional Use and Demolition

General	ì	
. .	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	The site plan shall include a full and complete legal description of the site or property being subjected to this application.

Right of Way / Easements

1

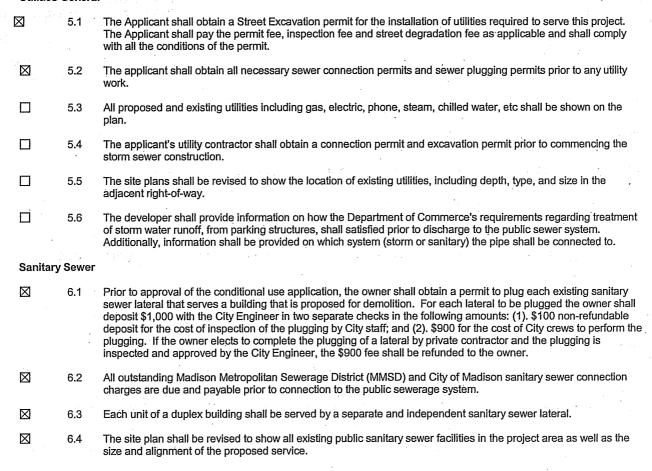
L	2.1	The Applicant shall Dedicate a foot wide strip of Right of way along
	2.2	The Applicant shall Dedicate a foot wide strip of Right of Way along
	2.3	The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping feet wide along
	2.4	The City Engineer has reviewed the need for 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, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.
Streets	s and Sid	lewalks
	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.
\boxtimes	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.
	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 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
	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.
	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.
	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.

Ц	3.14	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.
\boxtimes	3.16	All work in the public right-of-way shall be performed by a City licensed contractor.
Storm	water Ma	nagement
\boxtimes	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.
	4.5	The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
	4.6	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.
	4.7	This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
	4.8	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.
	4.9	If the lots within this sité 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.
	4.10	Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Please contact Greg Fries at 267-1199 to discuss this requirement.
⊠	4.11	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.
	4.12	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.
	4.13	The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.
		CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats and contain 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.) NOTE: Email file transmissions preferred

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.

Utilities General





Department of Public Works **Parks Division**

Madison Municipal Building, Room 120 215 Martin Luther King, Jr. Boulevard P.O. Box 2987

> Madison, Wisconsin 53701-2987 PH: 608 266 4711

TDD: 608 267 4980 FAX: 608 267 1162

July 22, 2005

TO:

Plan Commission

FROM:

Simon Widstrand, Parks Development Manager

SUBJECT:

2844 Commercial Avenue

1. The developer shall pay \$4,029.94 for park dedication and development fees.

2. Park Fees shall be paid prior to CU signoff.

Calculation of fees in lieu of dedication plus park development fees:

Park dedication = (4 multifamily @ 700 square feet/unit) – 1 sf @1100 sq.ft. = 1700 square feet. The developer shall pay a fee in lieu of dedication based on the land value of the area of parkland required (up to a maximum of \$1.65 / square foot). **Estimated fee is \$2805.00**

Park Development Fees = (4 @ \$501.11) - \$779.50 = \$1224.94

TOTAL PARK FEES = \$4,029.94

Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please contact Simon Widstrand at 266-4714 or awidstrand@cityofmadison.com if you have questions regarding the above items.