

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT  
Of August 15, 2007**

**RE: I.D. # 07275, Demolition Permit – 1431-1441 Northern Court**

1. Requested Action: Approval of a demolition permit to allow two single-family residences located at 1435 and 1441 Northern Court to be razed and an office addition for an adjacent contractors shop at 1431 Northern Court to be constructed.
2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits.
3. Report Prepared By: Timothy M. Parks, Planner

**GENERAL INFORMATION**

1. Applicant & Property Owner: Richard (Sam) Breidenbach, The Breidenbach Group; 1431 Northern Court; Madison.
2. Development Schedule: The applicant wishes to begin demolition as soon as all necessary approvals have been obtained, with completion anticipated in spring 2008.
3. Location: Approximately 0.4-acres generally located on the south side of Northern Court, approximately 200 feet east of S. Dickinson Street and 200 feet south of E. Main Street; Aldermanic District 6; Madison Metropolitan School District.
4. Existing Conditions: 1431 Northern Court is developed with a 7,000 square-foot contractors shop, with the two single-family residences located at 1435 and 1441 Northern Court, all zoned M1 (Limited Manufacturing District).
5. Proposed Land Use: A one-story, 2,100 square-foot office addition to the contractors shop.
6. Surrounding Land Use and Zoning:  
N&W: Commercial and industrial businesses, zoned M1 (Limited Manufacturing District);  
South: Union Pacific Railroad right of way; State of Wisconsin Central Services Building, zoned M1;  
East: Yahara River View Apartments, zoned PUD-SIP;
7. Adopted Land Use Plan: The East Rail Corridor Plan generally recommends the subject site for future residential development as part of the Yahara River District, though the plan also includes language identifying business retention as an important objective that generally

identifies providing opportunities for existing businesses to grow and expand within the East Rail Corridor area as a high priority. The Comprehensive Plan identifies the subject site as part of a neighborhood mixed-use district.

8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
9. Public Utilities & Services: The 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).

### **PLAN REVIEW**

The applicant is requesting approval of a demolition permit to allow two single-family residences located at 1435 and 1441 Northern Court to be demolished to accommodate a 2,100 square-foot office addition for his contracting business located at 1431 Northern Court. The three parcels are located on the south side of Northern Court, a narrow L-shaped public street that extends approximately 600 feet in length between E. Main and S. Dickinson streets. Northern Court provides access to a handful of commercial and industrial business along its length, as well as access to businesses on E. Main Street and the Yahara River View Apartments located east of the subject site at E. Main Street and S. Thornton Avenue.

The existing contractors shop is housed in a 7,000 square-foot two-toned metal standing-seam building that includes a loading area located off the westerly side wall and a parking and loading area off the easterly side, between the shop building and the house at 1435 Northern Court. The shop building is built to both the street and rear property lines, with the rear property line abutting a railroad right of way. The State of Wisconsin Central Services facility is located southeast of the site across the railroad right of way at 202 S. Thornton Avenue. The residence proposed for demolition at 1435 Northern Court is a one-story bungalow constructed in 1924 according to City records. The residence contains two bedrooms and one bath and is sided with asphalt shingle siding. The residence proposed for demolition at 1441 Northern Court is a one-story, two-bedroom, one-bath bungalow built in 1940 that is currently used as a temporary office space for the contracting business. Both residences occupy 40-foot wide lots. All three parcels comprising the subject site are zoned M1 (Limited Manufacturing District) zoning and are generally located in the established industrial corridor that extends over much of the area generally bounded by E. Washington Avenue and E. Wilson Street between the Yahara River and S. Blair Street.

The proposed 2,100 square-foot addition will extend approximately 59 feet from the northeastern facade of the existing 7,000 square-foot shop building, with a setback of between 22 and 26 feet

proposed from Northern Court. The applicant indicates that the addition will primarily house office space for the business that will replace and expand office space currently housed both in the existing shop building and in the former residence at 1441 Northern Court. The addition will also contain a showroom and conference space for the business. The remainder of the land occupied by the two residences will be redeveloped as a nine-space surface parking lot and fenced outdoor storage enclosure abutting the railroad. The loading area located along the westerly wall of the existing shop building will remain. The addition will be one-story tall and will be constructed with an unspecified horizontal siding and topped with a metal standing-seam roof. A landscaping plan submitted for the site shows that perennials and evergreen shrubs will be planted along the base of the addition, with two shade and two ornamental trees to be planted between the addition and parking lot and Northern Court. Staff recommends that additional landscaping or screening be required along the northeasterly property line abutting the Yahara River View Apartments.

### **EVALUATION & CONCLUSION**

The applicant has provided a selection of pictures of the subject site, including photos of the interior and exterior of the two residences to be demolished. Both residences appear to be in average to slightly below average condition for buildings of their age based on the photos provided. The Planning Division has not conducted a site visit or toured the inside of the houses and has no information that would indicate that they are not structurally sound or capable of being rehabilitated or repaired beyond the applicant's assertions in the letter of intent that the residences are "fair to poor" and "average" in condition.

In reviewing a demolition permit, the Plan Commission is required to evaluate the proposed alternative use of a property following the demolition requested in consideration of the impact the proposed use will have on the normal and orderly development of surrounding properties, the recommendations of the adopted master plan, in this case, the East Rail Corridor Plan, and the existing zoning of the property. As noted earlier in this report, the existing zoning of the property is M1, which identifies the existing contractor business and the proposed office use as permitted uses within that zoning district. The existing single-family residences at 1435 and 1441 Northern Court are not permitted in M1 zoning and are instead legally nonconforming dwellings that could not be built new on these parcels without a prior rezoning.

The site is located within the boundaries of the East Rail Corridor Plan, which was developed to guide redevelopment activities for the area bounded by E. Washington Avenue on the north, S. Blair Street on the west, the middle of the block between E. Wilson and Williamson Streets on the south and the Yahara River on the east, generally centered on the Union Pacific Railroad corridor that extends through the area. The plan identifies the subject site as part of a residential redevelopment area identified as the Yahara River Housing District. The Yahara River District is comprised of a 9.4-acre area bounded by E. Main, E. Wilson and S. Dickinson streets and the Yahara River recommended for future residential redevelopment due to its proximity to the

Yahara River Parkway. Implementation of the high-density residential redevelopment was envisioned to occur over time as the largely non-residential uses located within the district are redeveloped. The Yahara River View Apartments adjacent to the subject site are reflective of the development eventually anticipated in this district. Purely commercial developments or mixed-use developments with large commercial components would be considered inconsistent with the intent of the residential recommendation.

However, the East Rail Corridor Plan, also strongly encourages employment growth and business retention as important objectives within the plan area. Providing opportunities for existing businesses to grow and expand within the East Rail Corridor area is identified as a high priority in the plan, though not necessarily in all areas of the East Rail Corridor.

In reviewing the recommendations of the East Rail Corridor Plan in respect to the subject site, the Planning Division does not believe the request to be either wholly consistent or inconsistent with the plan recommendations. The proposed use of the site following the requested demolition is clearly not consistent with the Yahara River District residential recommendation contained in the East Rail Corridor Plan. However, staff suggests that near-term applicability of the residential recommendation may be greater on some sites within the district than on others. Northern Court is currently the location for several successful businesses and redevelopment of this area is unlikely until a future time in the event that there is an opportunity to assemble the multiple parcels of land that would be needed in order to accomplish the high-density residential development envisioned in the plan. Further, residential development on the south side of Northern Court will be constrained by the existing railroad right of way, which is expected to continue as a active rail corridor in the future, as well as by the relatively shallow depth of most of the parcel (73 feet). In addition, this site is not directly adjacent to the Yahara River Parkway and it is far likelier that larger, less constrained parcels like the State of Wisconsin Central Services facility south of the site will lend themselves to residential redevelopment before the subject site or other Northern Court properties.

It should be noted that, the existing 7,000 square-foot contractor shop at 1431 Northern Court may remain on that parcel heretofore should the demolition of the two houses not be approved. The two houses are also zoned such that they may be used for non-residential uses per the existing M1 zoning should they be brought up to the applicable Building Code requirements. While the proposed use is divergent from the long-term adopted land use plan recommendation, these two small houses would likely not be retained in a future long-term residential reuse of the Northern Court sites. Given the East Rail Corridor Plan recommendation to support expansion of existing businesses and the likely continuation of business uses along Northern Court generally for the foreseeable future, the proposed contractors office expansion represents a significant investment in the property that will result in a more attractive and viable use of the three-parcel site than the existing conditions.

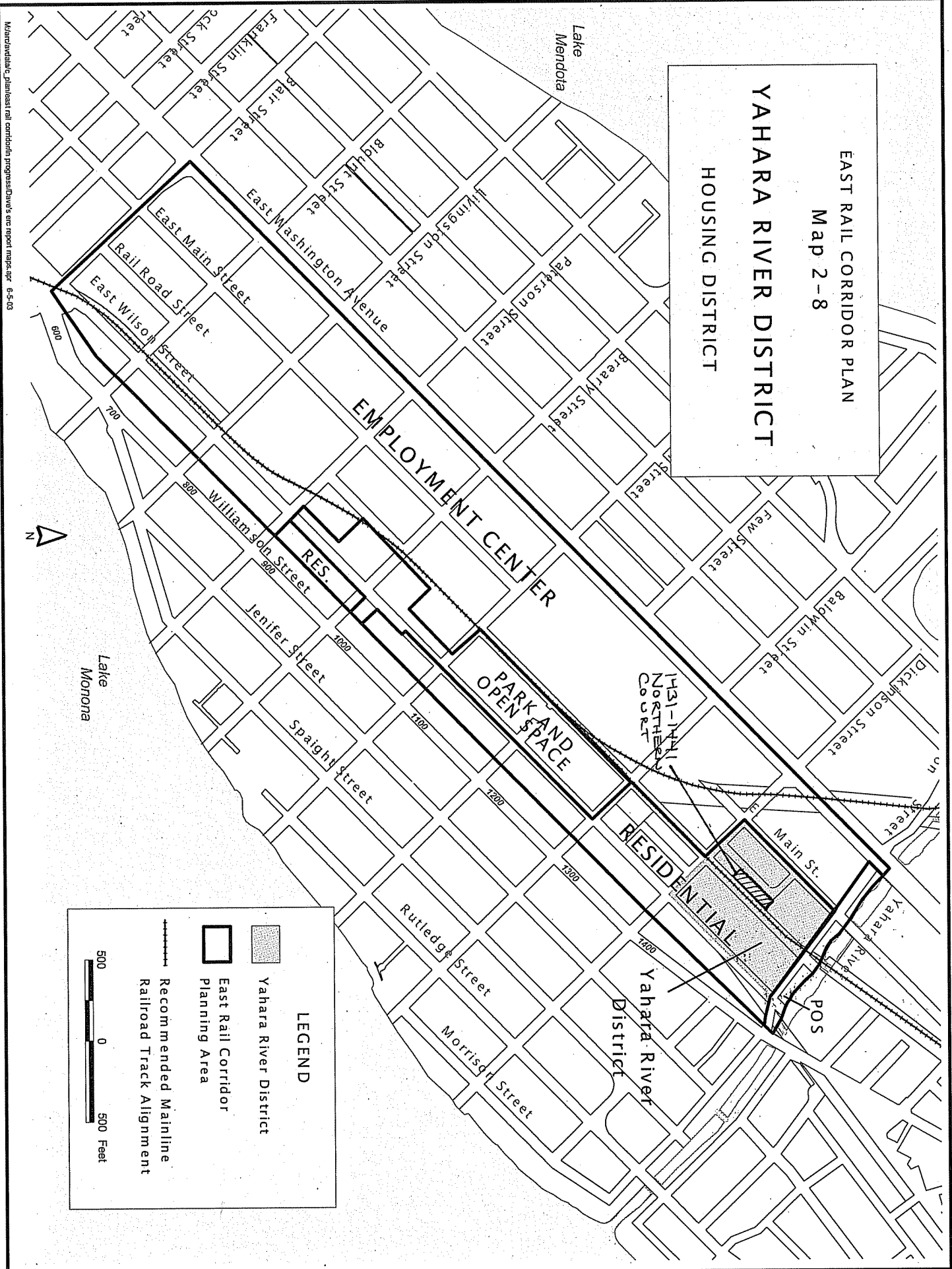
ID #07275  
1431-1441 Northern Ct.  
August 15, 2007  
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## **RECOMMENDATION**

The Planning Division recommends that the Plan Commission assign the appropriate weight to the recommendations contained in the East Rail Corridor Plan in determining whether or not the demolition standards can be met with the demolition of two single-family residences located at 1435 and 1441 Northern Court for the purposes of accommodating an addition to the contractor shop located at 1431 Northern Court, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant provide a landscaping and screening plan along the northeasterly property line to screen the proposed parking lot from the Yahara River View Apartments per Planning Division approval. The landscaping and screening plan shall consist of a solid buffer between the parking lot and adjacent residential development and may include a mix of plant materials and solid fencing. The size and species of any additional landscaping shall be noted on the plan.

EAST RAIL CORRIDOR PLAN  
 Map 2-8  
**YAHARA RIVER DISTRICT**  
 HOUSING DISTRICT



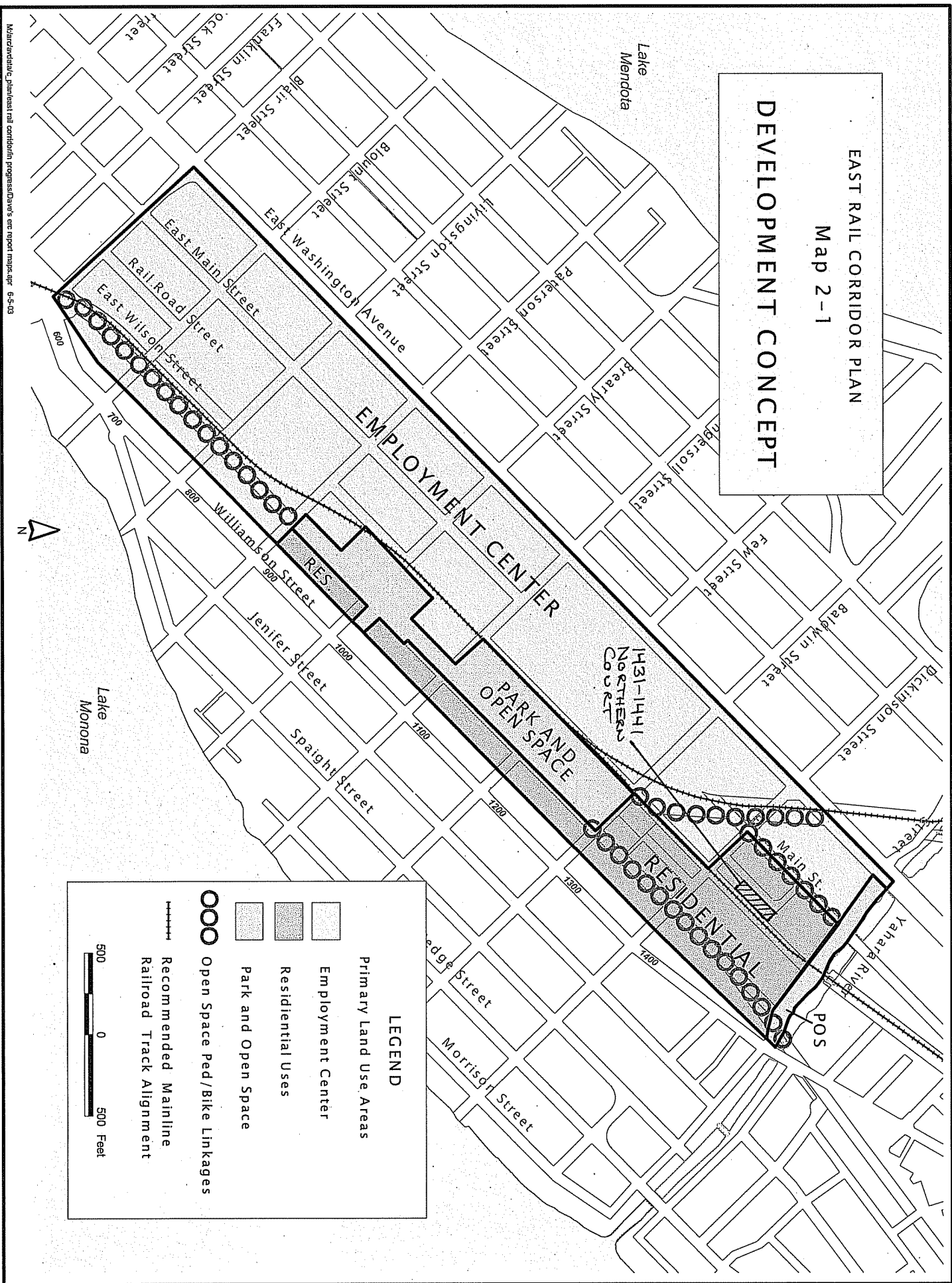
**LEGEND**

- Yahara River District
- East Rail Corridor Planning Area
- Recommended Mainline Railroad Track Alignment

500 0 500 Feet

Manufactured, please call carillon progress/Dave's env report maps.spr 6-5-03

EAST RAIL CORRIDOR PLAN  
 Map 2-1  
 DEVELOPMENT CONCEPT



**LEGEND**

- Primary Land Use Areas
- Employment Center
- Residential Uses
- Park and Open Space
- Open Space Ped/Bike Linkages
- Recommended Mainline
- Railroad Track Alignment

500 0 500 Feet

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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. Dalley, 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 Supervisor**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

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

DATE: August 2, 2007  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer *MRO*  
SUBJECT: 1431, 1435 & 1441 Northern Court 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. According to City of Madison records, the Breidenbach Group, LLC currently owns the underlying property as three separate assessment parcels. Engineering suggests that at a minimum, the owner ask the City Assessor's Office combine these three assessment parcels into one assessment parcel. A more desirable alternative would be to combine these properties into one lot by a new Certified Survey Map, although legally this is not required.

**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: 1431, 1435 & 1441 Northern Court 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 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering



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- 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 the \_\_\_\_\_ Impact Fee District for Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ Plat/CSM. The current rate is \$ \_\_\_\_\_ /1000SF for a total of \$ \_\_\_\_\_. The Developer shall select one of the following two options for payment of these fees:
  - 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 have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. 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 transmitted to Janet Dailey by e-mail at [jdailey@cityofmadison.com](mailto: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:

**ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).**

**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

- d. removed by the City without replacement or compensation to the property owner.
- e. 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.
- f. 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 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. 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.

**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.
- 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).
  - Control 80% TSS (5 micron particle).
  - Provide infiltration in accordance with NR-151.
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 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 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) Lot lines
  - g) Lot numbers
  - h) Lot/Plat dimensions
  - i) Street names

NOTE: Email file transmissions preferred [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). Include the site address in this transmittal.

- 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 be 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

August 9, 2007

TO: Plan Commission  
FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager  
SUBJECT: **1431, 1435, & 1441 Northern Court – Demolition – Proposed Addition**

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

### PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. The applicant shall indicate the type of bicycle racks to be installed outside.

### GENERAL OR STANDARD REVIEW COMMENTS

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

3. 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 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'.
4. The applicant should show the existing driveway loading area approach on the westerly side of the building or note the approach is to be removed.
5. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
6. 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: Sam Breidenbach

Fax: 251-1824

Email:

DCD: DJM: dm

**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** August 9, 2007

**To:** Plan Commission  
**From:** Matt Tucker, Zoning Administrator  
**Subject:** 1431, 1435, 1441 Northern Court

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**Zoning District:** M-1

**Proposed Use:** Expansion of contractors shop, parking lot and storage area (permitted use).

**Conditional Use:** 28.04(22) Demolition of a principal building requires Plan Commission approval.

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. Meet all applicable State accessible requirements, including but not limited to:
  - a. Provide a minimum of one accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
  - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
2. For the parking lot expansion, provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
3. Provide (X) 10' x 35' loading areas with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.



1431, 1435, 1441 Northern Ct.  
 August 9, 2007  
 Page 2

4. If exterior lighting is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot.

**ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	6,000 sq. ft.	17,520 sq. ft.
Lot width	50'	240'
Usable open space	n/a	n/a
Front yard	0'	adequate
Side yards	0'	adequate
Rear yard	10'	adequate
Floor area ratio	2.0	less than 1.0
Building height	---	1 story

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	9	9
Accessible stalls	1	(1)
Loading	1	(3)
Number bike parking stalls	2	4
Landscaping	Yes	(2)
Lighting	If provided	(4)

<b>Other Critical Zoning Items</b>	
Urban Design	No
Flood plain	No
Utility easements	None shown
Barrier free (ILHR 69)	Yes

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



# CITY OF MADISON FIRE DEPARTMENT

## Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295

Phone: 608-266-4484 • FAX: 608-267-1153

DATE: August 8, 2007  
TO: Plan Commission  
FROM: Edwin J. Ruckriegel, Fire Marshal  
SUBJECT: **1431, 1435 & 1441 Northern Court**

The City of Madison Fire Department (MFD) 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. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:  
**(commercial structures only)**
  - a. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.

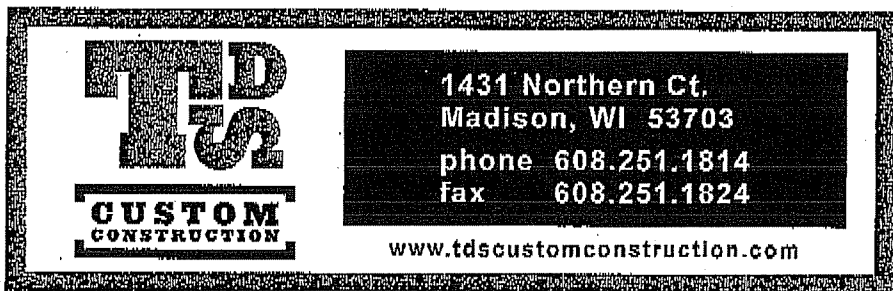
## **GENERAL OR STANDARD REVIEW COMMENTS**

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

1. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path **traveled by the fire truck as the hose lays off the truck**. See MGO 34.20 for additional information.
2. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows: **(commercial structures only)**
  - a. The site plans shall clearly identify the location of all fire lanes.
  - b. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan



# Transmittal / Fax Letter

Date: 8/16/07 Pages: 1 of 2  
 To: TIM PARKS Fax # 267-8739 From: **Sam Breidenbach**  
 Project: 1435, 1441 Northern Ct Project Address:

<b>We Transmit:</b> <input checked="" type="checkbox"/> Herewith <input type="checkbox"/> Separately <input type="checkbox"/> As you requested <input checked="" type="checkbox"/> Via <u>FAX</u>	<b>For Your:</b> <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Information <input type="checkbox"/> Review & comment <input type="checkbox"/> Pricing	<b>If checked below, please:</b> <input type="checkbox"/> Acknowledge receipt <input type="checkbox"/> Return enclosures to us when done
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Copies	Date	Description
1	8/16/07	GWABA Letter of Support

If the enclosures are not as noted, or if you have received this fax in error, please inform us immediately. This material is intended only for the use of the recipient noted above, and any other use is strictly prohibited.

**Comments:**

Tim, Here is a copy of a letter of support for my project on Monday's Plan Commission agenda.  
 I also, the Marquette Neighborhood Assoc. formally approved my project last night so you should be getting a letter prior to the hearing.

Thank you  
 Sam Breidenbach

c/o WILLIAMSON STREET GROCERY CO-OP  
1221 WILLIAMSON STREET  
MADISON, WI 53703  
www.williamsonst.com



PRESIDENT  
ANYA FIRSZT  
(608) 251-0884

a.firszt@willystreet.coop

August 16, 2007

To whom it may concern,

I am writing this letter to inform you of the support of the Greater Williamson Area Business Association (GWABA) for the TDS Construction expansion plans at their 1431 Northern Ct. site on Madison's near east side.

TDS has been an important and growing business that has played a positive role for Madison's near east side. TDS has created good paying jobs over the past twenty years. These jobs often pay higher than the industry prevailing wage. Many of TDS's employees also live in the area.

TDS has also been a conscientious business that has been very supportive of our community. This includes being a leader in green building techniques and more environmentally friendly building practices. Having a small construction company and its employees near east side building projects also helps to reduce unnecessary waste.

Finally, TDS has been a business that has helped countless individuals and families on the near east side rehab and improve their aging houses which will help preserve these older structures for future generations. TDS has gained a reputation as the building contractor to go to if you need work done on an older historical home.

Once again, GWABA is very happy to offer our support for TDS Construction and their plans to expand their activities in our neighborhood.

Anya Firszt, President  
Greater Williamson Area Business Association