

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
July 3, 2006

RE: ID# 03768: Zoning Map Amendment I.D. 3197, rezoning 5101, 5105, 5109, 5113 & 5117 Femrite Drive & 3314 & 3318 Agriculture Drive from C3 to M1 and the demolition of six single-family homes.

1. Requested Actions: Approval of a request to rezone 2.33 acres located at 5101, 5105, 5109, 5113 & 5117 Femrite Drive and 3314 & 3318 Agriculture Drive from C3 (Highway Commercial District) to M1 (Limited Manufacturing District) and approval of the demolition of six single-family residences to facilitate future industrial expansion.
2. Applicable Regulations: Section 28.12 (9) provides the process for zoning map amendments; 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: Danisco, Inc.; 3322 Agriculture Drive; Madison; Rod Dahlen, representative.

Agent: Jim Ternus, Strand Associates, Inc.; 910 W. Wingra Drive, Madison.
2. Development Schedule: Demolition will commence as soon as all necessary regulatory approvals have been granted. Future development of the property will occur at the discretion of the applicant.
3. Parcel Location: Approximately 2.33 acres located at the southwest corner of Femrite Drive and Agriculture Drive; Aldermanic District 16; Madison Metropolitan School District.
4. Existing Conditions: Six single-family residences on a total of seven parcels, zoned C3 (Highway Commercial District).
5. Proposed Land Uses: Additional yard space for the manufacturing plant located further to the south and land for future expansion.
6. Surrounding Land Use and Zoning:
North: Undeveloped commercial/industrial land and wetlands, zoned M1 (Limited Manufacturing District) and W (Wetlands District);

South: Danisco plant, zoned M1;

East: New multi-tenant commercial/ industrial building and undeveloped land, zoned M1.

West: Single-family residences and commercially used converted single-family residences, zoned C3 (Highway Commercial District);

7. Adopted Land Use Plan: The Comprehensive Plan identifies the subject site and the area generally south of Femrite Drive for industrial uses. Lands generally north of Femrite Drive are recommended for employment uses.
8. Environmental Corridor Status: This property is not located within 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 standards for zoning map amendments and the standards for demolition permits.

ANALYSIS AND EVALUATION

The applicants wish to demolish six one-story single-family residences located at 5101, 5105, 5109, 5113 & 5117 Femrite Drive and 3318 Agriculture Drive and to rezone those parcels as well as a vacant parcel located at 3314 Agriculture Drive from C3 commercial zoning to M1 manufacturing zoning. The seven parcels are owned by Danisco, Inc., which operates a manufacturing plant on a 19.4-acre parcel located just south of these parcels at 3322 Agriculture Drive. The manufacturing plant is zoned M1. Danisco purchased these parcels as a block of property in June 2004.

At the present time, the applicants wish to demolish the residences to provide additional yard space for the manufacturing plant. The applicants intend to raze the six principal structures and various accessory garages and shed and collapse and fill all foundations while leaving as much of the existing tree cover and vegetation on the parcels as possible. Long-term use of the 2.33-acre area will accommodate possible future expansion of the manufacturing plant.

Planning staff conducted a windshield survey of these properties and found the exterior of these residences to be in average to below average condition, though the Planning Unit has not inspected the inside of the residences to be demolished. The applicants have submitted copies of property inspections conducted to assess the condition of the six houses that has determined overall that relocating these homes is "unrealistic." Among the conditions noted in the reports are damaged or debilitated foundations, outmoded or older windows, roofs needing replacement and outmoded interior fixtures.

The Planning Unit supports the demolition of these residences and the rezoning of the seven total parcels from C3 to M1. The subject properties and surrounding lands south of Femrite Drive are recommended in the Comprehensive Plan for future industrial use, while lands north of Femrite are recommended for employment uses. The long-term use of the surrounding area will ultimately be nonresidential in character and use, and the demolition of these residences and the rezoning of the property for future industrial expansion will support implementation of the

recommendations of the Comprehensive Plan for this site. The Danisco parcel to the south is located in Urban Design District 1, and expansion of the facilities to the south onto these parcels will require prior approval by the Urban Design Commission. As a result, staff does not recommend a restriction requiring Plan Commission approval of future development.

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 forward Zoning Map Amendment I.D. 3197, rezoning 5101, 5105, 5109, 5113 & 5117 Femrite Drive and 3314 & 3318 Agriculture Drive from C3 (Highway Commercial District) to M1 (Limited Manufacturing District) to the Common Council with a recommendation of **approval**. Staff further recommends that the Commission find the demolition standards met and **approve** the demolition of six single-family residences located at 5101, 5105, 5109, 5113 & 5117 Femrite Drive and 3318 Agriculture Drive, all subject to input at the public hearing and comments from reviewing agencies.



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
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Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

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

DATE: May 31, 2006

TO: Plan Commission

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

SUBJECT: 3314 and 3318 Agriculture Drive and 5105, 5109, 5113 and 5117 Femrite Drive
Demolition/Rezoning

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. Any damage to the pavement on the abutting streets will require repair/restoration in accordance with the City Engineering Patching Criteria. Said repair/restoration shall include but shall not be limited to milling and overlaying the pavement.
2. The applicant is advised that sanitary sewer capacity may not be available for contemplated uses to expand the Danisco Plant Operations. The applicant understands and agrees that they may incur substantial expense to bring additional capacity to this site.

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: 3314 and 3318 Agriculture Drive and 5101, 5105, 5109, 5113 and 5117 Femrite Drive Demolition/Rezoning

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.

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- 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

- 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.

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.
- 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.

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- 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

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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, 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.)
- 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 izenchenko@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 dedicate 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.

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.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 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.
- 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.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 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 and alignment of the proposed service.

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**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: June 26, 2006

To: Plan Commission

From: Kathy Voeck, Assistant Zoning Administrator

Subject: 5101, 5105, 5109, 5113, 5117 Femrite Dr. and 3314 & 3318 Agriculture Dr.

Present Zoning District: C-3

Proposed Use: Demolish 6 houses (5101, 5105, 5109, 5113, 5117 Femrite Dr and 3318 Agriculture Dr) for future industrial development

Conditional Use: 28.04(22) Demolition of principal buildings requires Plan Commission approval

Proposed Zoning District: M-1

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

- The lots shall be combined at the time of or prior to future development. Show interim physical barriers at driveway openings onto the lots after demolitions or install curbs.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	7,604 sq. ft. +
Lot width	50'	adequate
Usable open space	n/a	n/a
Front yard	0'	0'
Side yards	0'	0'
Rear yard	10' 1 story, 30' 2 + stories	--
Floor area ratio	2.0	future development
Building height	--	future development

Site Design	Required	Proposed
Number parking stalls	To be reviewed at	future development
Accessible stalls	To be reviewed at future	development
Loading	To be reviewed at future	development
Number bike parking stalls	" " " "	"
Landscaping	" " " "	"
Lighting	No	existing

5105-5117 Femrite Dr and 3314 and 3318 Agriculture Dr.

June 26, 2006

Page 2

Other Critical Zoning Items	
Urban Design	No
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	None shown
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes - existing

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



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

June 29, 2006

TO: Plan Commission

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

SUBJECT: **5105, 5109, 5113, & 5117 Femrite Drive, 3314 & 3318 Agriculture Drive – Demolish / Rezoning – Demolish 6 Houses / C3 to M1 – Future Industrial Development**

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 and a scaled drawing at 1" = 20'.
3. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
4. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
5. 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: Jim Ternus
Fax: 608-215-8655
Email: jim.ternus@strand.com

DCD: DJM: dm

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