



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 3331 Agriculture Drive (16<sup>th</sup> Aldermanic District, Alder DeMarb)  
**Application Type:** Conditional Use  
**Legistar File ID #:** [43577](#)  
**Prepared By:** Kevin Firchow, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant and Owner:** Forrest Collier; DuPont Nutrition and Health; 110 Spice Hill Lane; Wilmington, DE 19808

**Contact:** Jim Ternus; Strand Associations, Inc; 910 West Wingra Drive; Madison, WI 53715

**Requested Action:** Approval of a conditional use to establish private parking facility in Urban Design District (UDD) 1.

**Proposal Summary:** The applicant proposes to construct an 86-stall surface parking lot to serve its production facility at 3322 Agriculture Drive, located immediately across Agriculture Drive. Portions of the facility's existing surface parking at 3322 Agriculture Drive are being removed to accommodate a 13,000 square foot building addition.

**Applicable Regulations & Standards:** Private parking facilities, including surface lots serving other properties, are designated as conditional uses in the IL (Industrial Limited) zoning district. This proposal is subject to the approval standards for conditional uses [MGO §28.183 (6)] and Urban Design District 1 [MGO §33.24(8)6].

**Review Required By:** Urban Design Commission (UDC) and Plan Commission (PC)

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to establish a private parking facility at 3331 Agriculture Drive to serve 3322 Agriculture Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

## Background Information

**Parcel Location:** The property is located on the east side of Agriculture Drive, south of its intersection with Femrite Drive; Aldermanic District 16 (Ald. DeMarb). The project is within Urban Design District 1 and is within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The 6.4 acre property is currently undeveloped. The southeast corner of the property is located within an environmental corridor and mapped flood fringe district, though the proposed improvements are not located on that portion of the property.

### Surrounding Land Use and Zoning:

North: Multi-tenant commercial/industrial facility, zoned IL (Industrial Limited);

South: Undeveloped property currently owned by this applicant, zoned IL;

**East:** Multi-tenant commercial/industrial facility, zoned IL (Industrial Limited); and

**West:** Existing DuPont facility, which would be served by the proposed parking lot.

**Adopted Land Use Plan:** The Comprehensive Plan recommends industrial uses for the subject property. The plan acknowledges that buildings and site improvements may be simple, practical, and more vehicle-oriented than other land use categories.

**Zoning Summary:** This property is in the Industrial Limited (IL) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	280,099 sq. ft.
Lot Width	75'	655.3'
Front Yard Setback	None	25'
Side Yard Setback	Greater of 15' or 20% of building height	Adequate
Rear Yard Setback	30'	Adequate
Maximum Lot Coverage	75%	Less than 75%
Number Parking Stalls	Light manufacturing: Maximum 1 per employee	86 (See Comment #27)
Accessible Stalls	None	None
Loading	None	None
Number Bike Parking Stalls	None	7 (See Comment #30)
Landscaping and Screening	Yes	Yes (See Comments #28 & 29)
Lighting	Yes	Yes
Building Forms	No	No
<b>Other Critical Zoning Items</b>	Urban Design (UDD#1); Utility Easements; Wetlands	

*Table prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

**Environmental Corridor Status:** The southeastern portion of the 6.4-acre property is within an environmental corridor, however, the proposed improvements appear to be outside of this area.

**Public Utilities and Services:** This property is served by a full range of urban services.

## **Project Description, Analysis, and Conclusion**

The applicant, DuPont Nutrition and Health, requests conditional use approval to establish a private parking facility within Urban Design District (UDD) 1. This proposal is subject to the standards for conditional uses [MGO §28.183 (6)] and Urban Design District 1 [MGO §33.24(8)6]. Please note that the applicant's proposed facility expansion across the street at 3322 Agriculture Drive is a permitted use and not before the Plan Commission.

The proposed parking facility is an 86-stall surface lot which would occupy the northwest corner of the subject site. It includes seven (7) bicycle parking stalls. The lot is intended to serve the applicant's production facility, located across the street at 3322 Agriculture Drive. With the aforementioned 13,000 square foot facility expansion, portions of the facility's existing surface parking lot at 3322 Agriculture Drive would be removed. The new lot provides parking for existing employees and anticipated employment growth associated with the facility

expansion. The applicant's materials also show that just over an acre of the 6.4-acre site will be utilized for the proposed parking lot and detention basin. There is an existing mid-block crossing on Agriculture Drive, located near the northern edge of the subject site. That will be utilized to link the new parking lot to the facility and the applicant proposes to enhance the visibility of this crossing with the addition of rapid flashing beacons.

The proposed parking lot is set back 25 feet from Agriculture Drive and includes a frontage landscape area comprised of a combination of deciduous trees, deciduous shrubs, evergreen shrubs, and perennials. In addition to complying with the Zoning Code Landscape standards, the site must also comply with the design requirements of Urban Design District 1. These standards require that there be effective screening on each side of a parking lot fronting a public street. If screening is to be accomplished by using plant material, the code requires it be planted at a minimum height of 30 inches and grow to a mature height of at least 54 inches. Based on the planting schedule, some of the proposed plantings do not meet either the minimum planting size or mature height size. As a condition of approval, the landscape plan shall be revised to meet the minimum ordinance requirements. At their August 17, 2016 meeting, the Urban Design Commission recommended approval subject to landscaping being revised to meet this requirement.

Additionally, the City Traffic Engineer has recommended that the two southern concrete extensions leading to the sidewalk be removed to reduce the potential of pedestrian crossings occurring away from the existing mid-block crosswalk.

With the recommended conditions, the Planning Division believes that this proposal can meet the approval standards for Conditional Uses and Urban Design District 1. The proposal is consistent with the general recommendations for industrial land uses recommended for the subject site. At the time of report writing, the Planning Division was not aware of concerns on this request.

## Recommendation

### Planning Division Recommendation (Contact Kevin Firchow, (608) 267-1150)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to establish a private parking facility at 3331 Agriculture Drive to serve 3322 Agriculture Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

### **Recommended Conditions of Approval**

Major/Non-Standard Conditions are Shaded

### Planning Division (Contact Kevin Firchow, (608) 267-1150)

1. That the applicant shall revise the landscape plan to comply with the Urban Design District 1 standards. This shall be approved by the Urban Design Commission Secretary and Planning Division.

### City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

2. According to the new WDNR wetlands protocol, this site is required to submit a wetland delineation as part of the EC permit from the WDNR, Engineering cannot issue an EC permit until the WDNR permit has been issued.

3. This review is for the proposed parking lot. The building addition will be reviewed with a future site plan review for the building addition.

4. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
5. 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. (POLICY)
6. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
7. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) Building Footprints b) Internal Walkway Areas c) Internal Site Parking Areas d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.) e) Right-of-Way lines (public and private) f) Lot lines or parcel lines if unplatted g) Lot numbers or the words unplatted h) Lot/Plat dimensions i) Street names j) Stormwater Management Facilities k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
8. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number: a) Building Footprints b) Internal Walkway Areas c) Internal Site Parking Areas d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.) e) Right-of-Way lines (public and private) f) Lot lines or parcel lines if unplatted g) Lot numbers or the words unplatted h) Lot/Plat dimensions i) Street names j) Private on-site sanitary sewer utilities (including all connections to public sanitary) k) Private on-site storm sewer utilities (including all connections to public storm) All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

9. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document

and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com), or Jeff Benedict at [jbenedict@cityofmadison.com](mailto:jbenedict@cityofmadison.com) final document and fee should be submitted to City Engineering.

10. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)
11. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls.
12. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.
13. 5Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of the Madison General Ordinances.
14. Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

**City Engineering Division - Mapping** (Contact Jeffrey Quamme, (608) 266-4097)

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| <ol style="list-style-type: none"><li>15. The 50' wide access easement for the City of Madison and Lot 12 per Rhodia Plat shall be amended to provide access via the proposed access from Agriculture Drive and an agreed upon route through the proposed parking lot to the south to connect to the 20' access easement leading to the City of Madison stormwater management facility to the east. The applicant shall coordinate this new agreement with Jeff Quamme of Engineering Mapping (<a href="mailto:jrquamme@cityofmadison.com">jrquamme@cityofmadison.com</a> or 266-4097). The agreement shall be drafted and administered by the City of Madison Office of Real Estate Services.</li><li>16. This review is for the auxiliary parking lot. The building addition will be reviewed with the future final site plan review for that building addition.</li></ol> |
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17. All easements of record shown per the Rhodia Plat shall be shown, dimensioned and labeled on the site plan. This includes ingress/egress, private sanitary, private water main and utility easements.

**Traffic Engineering** (Contact Eric Halvorson, (608) 266-6527)

18. All pedestrian connections to the public Right-of-Way south of the existing mid-block crossing shall be removed and replaced with landscaping. This shall be done to discourage users from crossing at any location other than the existing crossing.
19. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
20. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
21. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
22. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
23. Per MGO 10.08 secure the parking to prevent encroachment on adjacent land; this is typically satisfied through the installation of 6 inch rolled curb.
24. It is recommended the applicant work with Traffic Engineering to find ways to improve internal pedestrian circulation.

**Fire Department** (Contact Bill Sullivan, (608) 261-9658)

The agency reviewed this request and has recommended no conditions or approval.

**Zoning Administrator** (Contact Jenny Kirchgatter, (608) 266-4429)

25. This review is for the proposed private parking facility only located at 3331 Agriculture Drive. A separate site plan review and approval will be required for the proposed freeze dry production facility located at 3326 Agriculture Drive.
26. The proposed parking facility is cross-connected with the property located to the north and east at 5201 Femrite Drive. Provide an overall site plan exhibit including the existing developed property at 5201 Femrite Drive as well as the proposed parking facility.
27. Work with Zoning staff to establish the parking requirement for the proposed freeze dry production facility and private parking facility. Provide the number of displaced parking stalls resulting from the proposed plant expansion and the anticipated number of employees due to the expansion.

28. Submit the landscape plan and landscape worksheet for the proposed parking facility stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
29. Provide details for the proposed planting islands and planting strips. Per Sections 28.142(3)(c) and 28.142(4)(e) planting beds or planted areas must contain at least 75% vegetative cover mulched. Mulch shall consist of shredded bark, chipped wood or other organic material installed at a minimum depth of two (2) inches.
30. Submit a detail of the proposed bike rack.

**Parks / Forestry** (Contact Janet Schmidt, (608) 261-9688)

31. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

**Water Utility** (Contact Adam Wiederhoeft, (608) 266-9121)

32. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

**Metro Transit** (Contact Tim Sobota, (608) 261-4289)

33. While not a requirement for the project, Metro Transit feels the development would benefit if the applicant were to decide to install new walkway, connecting from the existing public sidewalk on the west side of Agriculture Drive, north to the Femrite Drive intersection.
34. Metro Transit feels the development would similarly benefit, if the applicant were to decide to install an accessible concrete boarding pad surface, between this walkway and the back of curb, between 65' and 75' south of the Femrite Drive intersection.
35. If the applicant were to decide to undertake such improvements, beyond the overall project approval, Metro Transit would request that the applicant include any of these optional features on the final plans submitted for Metro Transit review and approval [See 3331ad\_METRO.pdf]
36. Metro Transit operates daily bus service along Agriculture Drive in the Femrite Drive intersection. Trips operate all day on weekends, and during the peak hour and evening periods during weekdays. The existing and proposed facilities on Agriculture Drive do not have an accessible pedestrian connection to the current transit service.