



Project Address: 5021-5025 Femrite Drive (16th Aldermanic District – Ald. Tierney)
Application Type: Demolition Permit
Legistar File ID # [55458](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant/Owner: Eric Hohol; DuPont Nutrition & Biosciences; 3322 Agriculture Drive; Madison, WI 53716

Contact: Brian Molenaar; Strand Associates, Inc.; 910 W. Wingra Drive; Madison, WI 53715

Requested Action: Approval of a demolition permit to raze two single-family residences at 5021 and 5025 Femrite Drive for expanded open space for an existing manufacturing plant in the Industrial - Limited (IL) zoning district and Urban Design District 1. The proposed use is a permitted use.

Proposal Summary: The applicant is seeking the approvals to demolish two single-family residences at 5021-5025 Femrite Drive for expanded open space for an existing manufacturing campus, which is planned for a later plant expansion.

Applicable Regulations & Standards: Section 28.185 M.G.O. provides the process for demolition and removal permits. The regulations regarding Urban Design District 1 are found in Section 33.24(8) M.G.O.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to raze two residences at 5021-5025 Femrite Drive in Urban Design District 1 for expanded open space for an existing manufacturing plant subject to input at the public hearing and the conditions from reviewing agencies in this report.

Background Information

Parcel Location: The subject site(5021-5025) includes two parcels totaling 1.88 acres located on the south side of Femrite Drive, approximately 500-900 feet west of Agriculture Drive. It is part of a larger 24.1-acre site that includes 5017 Femrite Drive and 3322 Agriculture Drive. It is within Aldermanic District 16 (Ald. Tierney), the Madison Metropolitan School District, and Urban Design District 1.

Existing Conditions and Land Use: 5021 and 5025 Femrite Drive are currently occupied by two single-family residences and several outbuildings. 5017 Femrite Drive is currently vacant. The site is zoned IL (Industrial - Limited District).

Surrounding Land Uses and Zoning:

North: Across Femrite Drive, vacant land and Fire Station 14, zoned SE (Suburban Employment district);
East: DuPont manufacturing plant zoned IL (Industrial-Limited district);

South: Vacant, zoned IL and CN (Conservancy district); and

West: Single family homes, a vacant lot, and commercial shop buildings, all zoned IL.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Industrial land uses for the site. The [Stoughton Road Revitalization Project Plan](#) (2008) also recommends Industrial land uses.

Zoning Summary: The subject property is zoned IL (Industrial - Limited District):

Requirements	Required	Proposed
Lot Area	20,000 sq ft	978,981 sq ft
Lot Width	75 ft	498 ft

Other Critical Zoning Items	UDD #1, Utility Easements, Wetlands
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Table prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: A mapped environmental corridor encompasses the southernmost 50-100 feet of the subject site, an area of approximately one-half acre.

Public Utilities and Services: The site is served by a full range of urban services.

Project Description

The applicant is seeking a demolition permit to raze a two single-family residence at 5021-5025 Femrite Drive for expanded open space for an existing manufacturing campus, which is planned for a later plant expansion. The two existing single-family residences are now vacant, and the City Assessor has a current residential record for only 5025 Femrite Drive. The house at 5021 is a one-story 1,218-square foot house built in 1940, and according to the assessor's commercial building report, is in very poor condition and given a value of \$1,000. There are four additional accessory buildings at 5021 Femrite Drive. The residence at 5025 Femrite Drive is a one-and-one-half 1,389-square-foot house with three bedrooms and two bathrooms. [Photos](#) provided by the applicant show older houses with in varying states of disrepair. Planning Division Staff have not inspected the properties. An adjacent house at 5017 Femrite Drive was razed in early 2019 per an earlier approval as part of a similar request.

The applicant intends to raze the primary residences and all existing accessory buildings, and remove the existing driveway and walkways. After demolition and removal of the existing structures, the applicant will install a fence around the lots and use them as expanded open space for the adjacent DuPont plant immediately to the east. The applicant plans to loop electrical and water service on the site to prepare for a future expansion of the plant, but a specific timetable for said expansion has not been identified. The applicant is also working with the City Engineering Division to grant an easement and place a storm sewer west of the proposed building expansion, running north to south across the center of the property at 5017 Femrite Drive to the City-owned stormwater facility to the south.

Analysis & Conclusion

This request is subject to the standards for demolition permits. This section begins with adopted plan recommendations, analyzes demolition standards, and finally reviews the action of the Urban Design Commission. Limited production and processing (food a beverage products) is a permitted use in the IL district per MGO §28.088(2).

Compliance with Adopted Plans

The [Comprehensive Plan](#) (2018) identifies the subject site for industrial uses, which accommodates manufacturing, wholesale, storage, and distribution, among other activities. The [Stoughton Road Revitalization Project Plan](#) (2008) includes this area within the Gateway Development Area, and also recommends Industrial land uses. In greater detail, this plan also recommends clean industrial/tech buildings for subject site, with a high quality streetscape.

Demolition Permit

In order to approve a demolition request, M.G.O §28.185(7) requires that the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section of the zoning code and the intent and purpose of the IL (Industrial - Limited) Zoning District. Per MGO §28.088(1), the Industrial - Limited district “provides for a mix of light manufacturing uses, offices, warehousing, flex-space, limited storage and warehousing, and limited retail and service uses that primarily serve the industrial uses, designed with adequate landscaping and screening, to ensure compatibility with adjoining uses. Industrial districts typically require relatively direct access to the regional highway system, and may require rail or air transportation service.” The demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. Staff notes that a mapped environmental corridor encompasses a portion of the southernmost 100 feet of the combined properties, an area of approximately one-half acre. At the time, no construction is proposed for this area of the parcel, but the proposed future plant expansion area appears to be planned to be very near the environmental corridor. Any future development will need to comply with applicable regulations and standards. Furthermore, the proposed use following demolition or removal should be compatible with adopted neighborhood plans and the [Comprehensive Plan](#). The [Comprehensive Plan](#) (2018) identifies the subject site for industrial uses, which includes limited production and processing, including food and beverage products, as are manufactured here. The demolition standards also state that the Plan Commission shall consider the report of the City’s Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. At its April 8, 2019 meeting, the Landmarks Commission found that the existing buildings at 5021-5025 Femrite Drive have no known historic value.

Urban Design Commission

While the use is permitted in the IL zoning district, this property is within Urban Design District 1. However, as no construction is planned at this time, this proposal does not require Urban Design Commission approval. Any future plant expansion will require review by the Urban Design Commission.

Conclusion

The Planning Division believes that the Plan Commission can find the standards for demolition met for the request to raze the two single-family houses for expanded open space for the adjacent manufacturing plant and potential future plant expansion. The proposal removes existing non-conforming uses.

At time of report writing, staff has received no other written comments.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to raze two single-family residences at 5021 and 5025 Femrite Drive for expanded open space for an existing manufacturing plant in the Industrial - Limited (IL) zoning district and Urban Design District 1, subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval: Major/Non-Standard Conditions are Shaded

Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

1. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
2. Section 28.185(9)(a): A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
3. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.

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

4. 4.9zz Prior to development of the newly available lands resulting from this demolition a stormwater management plan will be required.

5. 6.1 Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
6. 6.2 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. (MGO16.23(9)(d)(4))
7. 6.5 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)

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

8. The public storm easements per Doc No's 3467329 & 3492279 that are intended to be released with the future re-routing of the public storm sewer shall be released by separate document(s) prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated

information and fees required. If any release is required prior to recording of the future CSM, acknowledgement of the release and document number shall be noted on the face of the CSM.

9. The proposed new building crosses underlying platted lot lines. A Certified Survey Map (CSM) will be required to be submitted to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a future building permit.
10. A new public storm sewer easement will be required for the planned re-routed storm sewer. The new required easement shall be granted on the face of the required CSM or granted by a separate instrument drafted and administered by the City of Madison Office of Real Estate Service. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate any required Madison Real Estate project.
11. The City of Madison has an Official Street reservation for additional right of way along Femrite Drive. Future development of these properties will require additional right of way to be dedicated by the future CSM to accommodate the necessary terrace and sidewalk along Femrite Drive.

Fire Department (Contact Bill Sullivan, 261-9658)

12. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Tracy Burrus at tburrus@cityofmadison.com or (608)266- 5959.

Forestry Division (Contact Brad Hofmann, 267-4908)

13. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
14. 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 prior to the start of construction. 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/2018/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.