

PLANNING DIVISION STAFF REPORT

October 27, 2014

PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION



Project Address: 5517 Femrite Drive
Application Type: Demolition Permit and Conditional Use
Legistar File ID # [35404](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: David H. Meier; 5513 Femrite LLC; 5501 Femrite Drive; Madison, WI 53718

Contact: Brian J. Beaulieu; Edge Consulting Engineers, LLC; 624 Water Street; Prairie Du Sac, WI 53578

Property Owner: James Klongland; 5517 Femrite Drive- Applicant has a contract option to purchase.

Requested Action: The applicant requests approval of a demolition permit and a conditional use. The site is within Urban Design District 1.

Proposal Summary: Upon demolition of the existing structure the applicant proposes to build a surface parking lot.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO Section 28.185(7) and Conditional Uses [MGO Section 28.183(6)]. The new parking lot is also subject to the standards for Urban Design District 1 [MGO Section 33.24(8)].

Review Required By: Urban Design Commission and Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards and conditional use standards met and **approve** the request to demolish a single-family home for the purpose of creating a private parking facility at 5517 Femrite Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 14,670 square foot subject property is located on the south side of Femrite Drive, approximately 330 feet east of its intersection with Marsh Road.

Existing Conditions and Land Use: The subject site includes a single-family home.

Surrounding Land Use and Zoning:

North: Industrial uses, zoned IL (Industrial Limited);

South: Buildings and storage area for Badger Bus, zoned IL;

East: One single-family home, with vehicle storage and repair uses, beyond, zoned IL; and

West: Buildings and storage area for Badger Bus, zoned IL.

Adopted Land Use Plan: The Comprehensive Plan recommends industrial uses for this area.

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

	Dimensional Requirements	Proposed Development
Lot area (sq. ft.)	20,000	14,670 sq. ft.
Lot width	75'	100'
Front yard setback	0	TBD
Side yard setback:	15' or 20% of building height	TBD
Rear yard setback:	30'	TBD
Maximum lot coverage	75%	69.4%
Maximum height	none	TBD
Number parking stalls	1 per 2-employees	28
Bike parking	n/a	none
Landscaping	Yes	Yes
Lighting	Yes	No
Building forms	Yes	n/a
Other Critical Zoning Items	Urban Design (UDD 1), Barrier free (ILHR 69)	

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

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

Project Description, Analysis, and Conclusion

The applicant, Badger Bus Transportation Group, requests approval to demolish a single-family residence for the purpose of constructing a surface parking lot. The parking lot is considered a "private parking facility" which is a conditional use in the IL (Industrial Limited) zoning district. The site is also within Urban Design District (UDD) #1. This proposal is subject to the approval standards for demolitions, conditional uses, and UDD 1.

The home proposed for demolition is a one-story, 1,451 square foot ranch-style residence. City assessor's records indicate the structure was constructed in 1959. No information on the building's condition was provided in the application. Photographs were included by the applicant and suggest that the home includes worn fixtures and possibly some water-related issues in the basement. Such photos can be viewed online at: http://www.cityofmadison.com/planning/projects/reports/5517fd_photos.pdf

The proposed future use is a 25-stall surface parking lot, intended to provide employee parking. The site is surrounded on the south and west by the larger Badger Bus facility. While adjacent to the site, no connecting elements are shown between this parking lot and the balance of the business's facility. The Zoning Administrator has determined that the proposed future use is a stand-alone "private parking facility."

The parking lot includes 21 typical 90-degree stalls and five (5) parallel stalls along the western side of the property. Existing trees along the Femrite Drive frontage are planned to remain as are trees and shrubs along the western edge of the property. A wide tree island on the eastern side of the property is proposed to retain an existing Linden tree.

Staff believes the applicable standards can be met. In considering the demolition standards, the Plan Commission must find that the proposed demolition is both 1) consistent with the intent and purpose of the zoning district and 2) that the proposed future use is compatible with the purpose of the demolition section of the ordinance. Staff notes that the demolition of the existing structure would remove a home which is currently a non-conforming use in the Industrial-Limited zoning district. The demolition standards also state that the proposed use should be compatible with adopted plans. The Comprehensive Plan recommends industrial uses for the subject site, and staff believes a surface parking lot to support the existing use is consistent with this recommendation. No objections to this demolition were raised by the Preservation Planner or by the Landmarks Commission.

In considering the conditional use standards, staff does not believe that establishing a parking lot will have a significant impact on surrounding properties. The applicant proposes to develop a six-foot tall cedar fence along the eastern property line to screen the parking lot from the adjacent home, which like the subject home, is also a non-conforming use.

In considering the standards for UDD 1, the purpose of the district to make the South Beltline highway and adjacent properties a visually attractive approach to the City of Madison. The applicant is maintaining existing trees and providing new "Shademaster" Honeylocust trees in the tree islands with junipers beneath. No lighting information was provided.

At the time of report writing, staff was not aware of any concerns on this request from nearby property owners or neighbors.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the demolition standards and conditional use standards met and **approve** the request to demolish a single-family home for the purpose of creating a private parking facility at 5517 Femrite Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Janet Schmidt, 261-9688)

1. The plans indicate the Badger Bus Transportation Group as owner. Current records indicate the owner of the property is James R. Klongland. Provide a copy of the recorded agreement permitting the use of the proposed parking lot by the adjacent properties.

2. There is an easement to Madison Gas and Electric per Document No. 4685015 in the southeast corner of the property that is 6 feet wide. The easement prohibits the construction of fences. The site plan shall show the limits of the easement and move any prohibited improvements out of the easement area.
3. City of Madison Official maps have reserved the north 7 feet of this parcel for future road right of way. This reservation area per the Official Map shall be shown and labeled on the site plan.
4. 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. (POLICY)
5. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
6. All damage to the pavement on Femrite Drive, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
7. 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. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
8. 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.
9. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, 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. (NOTIFICATION)
10. 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. (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) lot lines and right-of-way lines, e) Street names, f) Stormwater Management Facilities, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
11. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
12. 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. NOTE: As of

January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

Traffic Engineering Division (Contact Eric Halvorson, 266-6572)

13. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan shall be provided in electronic format such as .pdf and CAD (if available). 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.
14. 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.
15. 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.
16. All parking facility design shall conform to MGO standards (parallel parking dimensions are usually 22' x 8' and commercial entrances are a minimum of 18'), as set in section 10.08(6)
17. To assist orderly ingress/egress square the entrance to the Right-of-Way and parking facility.
18. Secure one-way operation with signage ('Do Not Enter' and 'One-Way' signage) and paint directing vehicles from the entrance. Include wheel stops on the perpendicular parking adjacent the one-way drive aisle to prevent bumper overhang and vehicle drive thru.

Zoning Administrator (Contact Pat Anderson, 266-5978)

19. Sec. 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, Mr. George Dreckmann. (608-267-2626).
20. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
21. Section 28.185 (9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
22. Pursuant to Sec. 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.

Fire Department (Contact Bill Sullivan, 261-9658)

23. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt Scott Bavery (608) 576-0600.

Water Utility (Contact Dennis Cawley, 261-9243)

24. The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not submit comments for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.