



## Report to the Plan Commission

March 8, 2010

**Legistar I.D. # 17657**

**3310 Agriculture Drive & 5125 Femrite Drive**

**Demolition Permit**

Report Prepared By:

Kevin Firchow, AICP

Planning Division

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**Requested Action:** Approval to demolish two vacant single-family residences to create a landscaped area for the existing Danisco facility.

**Applicable Regulations & Standards:** Section 28.12 (12) provides the guidelines and regulations for the approval of demolition permits.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for demolitions are met and **approve** demolition permits for 3310 Agriculture Drive and 5125 Femrite Drive, subject to input at the public hearing and the conditions recommended by reviewing agencies.

### Background Information

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**Applicant/Owner:** Eloi Fontaine; Danisco USA, Inc; 3322 Agriculture Drive; Madison, WI 53716

**Contact:** Gene A. Bohn; Danisco USA, Inc; 3322 Agriculture Drive; Madison, WI 53716

**Proposal:** The applicant proposes to demolish two vacant single-family homes to create a landscape and signage area for Danisco USA, Inc. The subject parcels are owned by Danisco and are adjacent to the Danisco facility at 3322 Agriculture Drive.

**Parcel Location:** The subject site is a 0.5 acre property located at the south west corner of Femrite and Agriculture Drives, adjacent to the main Danisco facility. This request is located in Aldermanic District 16; Urban Design District; TID 39; and the Madison Metropolitan School District.

**Existing Conditions:** This property includes two vacant single-family homes, built in 1952 and 1959. The applicant has provided descriptions and photos of the buildings proposed for demolition. Further discussion is included in the *Analysis, Evaluation, and Conclusion* section of this report.

**Surrounding Land Use and Zoning:** This site is surrounded by developed and vacant industrial properties, zoned M1 (Limited Manufacturing District). Other single-family residences, zoned C3 (Highway Commercial District) are located along Femrite Drive, roughly 400 feet from the subject properties.

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

**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.

**Zoning Summary:** The property is zoned C3 (Highway Commercial District)

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft	8,085 sq. ft. 14,041 sq. ft
Lot width	50'	Adequate
Usable open space	n/a	n/a
Front yard	0'	Existing / Adequate
Side yards	0'	Existing / Adequate
Rear yard	10'	Existing / Adequate
Building height	3 Stories	Existing / Adequate
Lighting	No	See Comment #20
Number parking stalls	Not Shown	No Change
Landscaping	Yes	See Comments # 17 and 18
Loading	Yes	Existing / Adequate
Other Critical Zoning Items	Urban Design District 1, Utility Easements, Barrier Free (ILHR 69)	
	<i>Table Prepared by Pat Anderson, Assistant Zoning Administrator</i>	

## Analysis, Evaluation, & Conclusion

The applicant requests approval to demolish two (2) vacant single-family residences and create a landscape and signage area for the Danisco USA, Inc. facility. This request is subject to the demolition standards of Section 28.12 (12) of the Zoning Ordinance.

The subject properties are located at the intersection of Femrite and Agriculture Drives, adjacent to Danisco's multi-building facility. Danisco purchased these properties in 2008 for the purpose of expanding their operations at this location. The Plan Commission approved the demolition of six (6) adjacent houses in 2006 for the purposes of a previous Danisco plant expansion.

The residence at 3310 Agriculture Drive was built in 1959, according to City Assessor records. The building is approximately 1,000 feet in area and includes three (3) bedrooms and one (1) bathroom. Assessor records indicate the 1,083 square foot residence at 5125 Femrite Drive was built in 1952 and also includes three (3) bedrooms and one (1) bathroom.

The applicant has provided interior and exterior photos for both structures. These can be viewed from the following website: [http://www.cityofmadison.com/planning/projects/reports/3310ad\\_photos.pdf](http://www.cityofmadison.com/planning/projects/reports/3310ad_photos.pdf). From the photos, it does not appear that either structure is in a habitable condition and that some floors, appliances, and other interior fixtures have already been removed. Planning Division staff have not conducted a formal inspection of the structures, though the district alderperson has toured the homes and notes her support for the demolitions. Her comments are attached. In addition, she identified some items that should be salvaged prior to demolition of the homes to which the applicant has agreed. Such information should be specified in the Reuse and Recycling Plan, submitted for approval by the City's Recycling Coordinator.

The City's Acting Preservation Planner has reviewed this request and did not raise objections to the proposed demolitions.

A demolition application is required to include a clear, detailed, and complete statement of any proposed future use. Upon demolition of the buildings, Danisco proposes to create a landscape and signage area for its adjoining facility. The design includes a block retaining wall, monument sign, and three flag poles. The applicant indicates that existing trees will be preserved to the extent possible. A site plan and perspective renderings are included in the applicant's materials and can be viewed online at: [http://www.cityofmadison.com/planning/projects/reports/3310ad\\_site.pdf](http://www.cityofmadison.com/planning/projects/reports/3310ad_site.pdf)

The subject properties are within Urban Design District 1. As such, the proposed improvements are subject to approval by the Urban Design Commission. Additionally, while signage is proposed as part of the future use, staff note that the approval of the signage details is not before the Plan Commission. Those details are subject to approval by the Urban Design Commission and Zoning.

In regards to timing, Danisco hopes to demolish the homes and begin installation of the site improvements by early April, prior to the arrival of the company's board of directors from Europe.

Staff believe that the applicable demolition standards can be met and recommend approval. The requested demolition and the proposed use are consistent with the intent and purpose of the property's C3 (Highway Commercial) zoning. This proposal is also consistent with the Comprehensive Plan's recommendation for employment uses in this area and staff believe implementation of this proposal should generally have a positive impact on the normal and orderly development and improvement of surrounding properties. Based on the information provided, the Planning Division believes there is likely limited economic feasibility in relocating or rehabilitating the structures. Finally, at the time of report writing, staff was not aware of any objections to this proposal.

## **Recommendations and Proposed Conditions of Approval**

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Major/Non-Standard Conditions are Shaded

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

The Planning Division recommends that the Plan Commission find that the standards for demolitions are met and **approve** demolition permits for 3310 Agriculture Drive and 5125 Femrite Drive, subject to input at the public hearing and the conditions recommended by reviewing agencies.

***The following conditions have been submitted by reviewing agencies:***

### **City Engineering Division** (Contact Janet Dailey, 261-9688)

1. Any damage to the street pavement shall be restored in accordance with the City's Pavement Patching Criteria.
2. Revise plans to note the replacement of the inlet casting in the proposed driveway. The new casting shall be a Neenah R-3067-7000 or approved equal. Applicant shall obtain a permit excavate in the street right of way for the inlet casting installation.
3. Applicant agrees to work with city staff to convey the necessary right of way and sidewalk easements for grading and sloping along Agriculture Drive and Femrite Drive. A CSM is the recommended vehicle for these dedications and easements.

4. The applicant shall execute a waiver for hearing and notice for the sidewalk construction along Femrite Drive and Agriculture Drive. If the Applicant wishes to install the sidewalk they may do so under a Permit to Excavate in the Right of Way. Else the City shall plan the sidewalk installation at a later date and as an assessable project.
5. The applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along Agriculture Drive and Femrite Drive in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. (MGO 16.23(9)(d)(6))
6. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
7. 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.
8. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to 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.
9. 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 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) all underlying lot lines or parcel lines if unplatted, g) lot numbers or the words “unplatted”, h) lot/plat dimensions, i) street names, and all other levels (contours, elevations, etc) are not to be included with this file submittal.  
  
NOTE: Email file transmissions preferred [addressing@cityofmadison.com](mailto:addressing@cityofmadison.com). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))
10. Prior to approval of the 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. (POLICY) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

**Traffic Engineering Division** (Contact John Leach, 267-8755)

11. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway approaches to lots on either side, 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'.
12. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.
13. 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.
14. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

15. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
16. Sec 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
17. Approval of the demolition permit will require the removal of all structures including the driveway landscaped and seeded to minimize erosion, remove asphalt driveway and apron and replace with curb and gutter. During demolition and prior to curb and gutter, installation of barriers shall be installed across the driveway to prevent the parking of vehicles.
18. Future development shall meet applicable building and zoning ordinances following applicable processes. The site shall be landscaped and seeded to minimize erosion.
19. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. This is in an Urban Design District. Signage must be approved by the Urban Design Commission and Zoning. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.
20. If outdoor lighting is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards.
21. Provide a complete site plan. The submitted plans only show a portion of the property.

**Water Utility** (Contact Dennis Cawley, 261-9243)

22. 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.

**Fire Department** (Contact Scott Strassburg, 261-9843)

This agency did not submit a response to this request. Please contact this department with questions related to compliance with Fire Code conformance issues related to this project.

**Parks Division** (Contact Tom Maglio, 266-6518)

This agency did not submit a response to this request.

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

This agency did not submit a response to this request.