



## Report to the Plan Commission

August 23, 2010

**Legistar I.D. #19486**  
**4638 & 4706 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 open space for the adjoining Certco development.

**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 4638 and 4706 Femrite Drive, subject to input at the public hearing and the conditions recommended by reviewing agencies.

### Background Information

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**Applicant/Owner/Contact:** Randall Simon; Certco, Inc; 5321 Verona Road; Fitchburg, WI 53711

**Proposal:** The applicant proposes to demolish two vacant single-family homes to create open space for the adjoining Certco, Inc campus to the north. The subject parcels are owned by Certco, Inc.

**Parcel Location:** The subject site is a 5.1 acre (220,850 square foot) property located along the north side of Femrite Drive, roughly 800 feet west of its intersection with Dutch Mill Road. The property is adjacent to other properties developed by Certco. This request is located in Aldermanic District 16; Urban Design District 1; TID 39; and the Madison Metropolitan School District.

**Existing Conditions:** This property includes two vacant single-family homes. 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 immediately surrounded by single-family homes and developing industrial properties, zoned M1 (Limited Manufacturing District) or C3 (Highway Commercial District).

**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 M1 (Limited Manufacturing District) and C3 (Highway Commercial District)

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	220,850 sq. ft. existing
Lot width	50'	Varies- existing.
Usable open space	n/a	n/a
Front yard	0'	n/a
n/a	0'	n/a
Rear yard	10'	n/a
Floor area ratio	3.0	-
Building height	---	1 story
Number parking stalls	n/a	n/a
Accessible stalls	n/a	n/a
Loading	Existing	Existing
Number bike parking stalls	n/a	n/a
Landscaping	Yes	Yes (See Recommended Conditions # 9 &10)
Lighting	n/a	n/a
<b>Other Critical Zoning Items</b>	Urban Design District 1	

*Table Prepared by Pat Anderson, Assistant Zoning Administrator*

**Analysis, Evaluation, & Conclusion**

The applicant requests approval to demolish two (2) vacant single-family residences and create an open space for the adjacent Certco, Inc. development. This request is subject to the demolition standards of Section 28.12 (12) of the Zoning Ordinance.

The subject property is located on the north side of Femrite Drive, roughly 800 feet west of its intersection with Dutch Mill Road. Both residences proposed for demolition have been purchased by Certco, Inc. The balance of the Certco campus lies immediately to the north, with the entire property encompassing over 38 acres of area. The home at 4706 Femrite Drive lines the street frontage, with its setbacks generally matching that of the other adjoining homes. The residence at 4638 Femrite Drive is not as readily visible from the street and sits well behind other street-facing residences.

City Assessor records indicate that the three-bedroom residence at 4638 Femrite Drive was built in 1940 while the smaller, two-bedroom residence at 4706 Femrite Drive was built in 1939. 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/4638fd\\_photos.pdf](http://www.cityofmadison.com/planning/projects/reports/4638fd_photos.pdf)

From the photos, it does not appear that either structure is currently in a habitable condition and that some floors, appliances, and other interior fixtures have already been removed. The structure at 4638 appears to be entirely boarded up. 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. The City’s Preservation Planner has reviewed this request and did not raise objections to the proposed demolitions.

Upon approval of the demolition, the applicant would remove the buildings and re-seed the areas with grass. Existing trees would be maintained, though no detailed landscaping plans are provided. This information is depicted on the attached site plan and a supplementary graphic showing the subject buildings in relationship to a portion of the larger Certco property.

Staff believes that this request is most accurately considered as a proposal with no proposed future use. As stated in the zoning ordinance, such applications require that the Plan Commission make a finding that the buildings proposed for demolition pose the potential for unlawful use, public nuisance, or other public health or safety concerns which support demolition prior to a formal future use being proposed. This finding must be based on evidence from the City Police Department, Fire Department, or the Building Inspection Division. A letter has been provided from Captain Tom Snyder, East Police District, noting support for these demolitions. That letter is attached and cites concerns with ongoing vandalism and trespassing at the subject properties.

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) and M1 (Limited Manufacturing District) 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 would not negatively affect 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.

## **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 4638 and 4706 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 pavement shall require restoration in accordance with the City's Patching Criteria.
2. Revise plan to show existing sewer service to the house on the North end of the lot. If served by a septic tank, provide proof of proper abandonment. If connected to public sewer, obtain a permit to plug the lateral.
3. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
4. 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.

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. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. (MGO 10.05(6)) and MGO 35.02(4)(c)(2)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
7. 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)

This agency submitted a report with no recommended conditions of approval.

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

8. 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.
9. 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.
10. 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 as per City Engineering & Traffic Engineering requirements. During demolition and prior to curb and gutter, installation of barriers shall be installed across the driveway to prevent the parking of vehicles.
11. Future development shall meet applicable building and zoning ordinances following applicable processes. The site shall be landscaped and seeded to minimize erosion.

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

12. 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.

**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.



**ADDENDUM** Report to the Plan Commission

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**Agenda Item #8**

Please note the following clarification:

- The Fire Department provided a report with no recommended conditions of approval.