



PREPARED FOR THE PLAN COMMISSION

Project Address: 3841 Merchant St. (District 17- Ald. Baldeh)
Application Type: Conditional Use
Legistar File ID # [43156](#)
Prepared By: Jessica Vaughn, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: Ryan Quam; Quam Engineering, LLC; 4604 Siggelkow Rd., Suite A; McFarland, WI 53558
Contact: Cliff Sutton; Sutton Transport, Inc.; 8011 Schofield Ave.; Weston, WI 54476
Property Owner: City of Madison, PO BOX 2893; Madison, WI 53701

Requested Action: The applicant is requesting approval of a Conditional Use to construct a motor freight terminal use at 3841 Merchant St.

Proposal Summary: The applicant is seeking approval of a Conditional Use to construct a motor freight terminal use at 3841 Merchant St. on a vacant lot in the IL zoning district. As part of the application, the applicant is proposing the construction of an approximately 9,000 square-foot building with 22 truck bays, office and dispatch. Other site improvements include 27 personal vehicle parking stalls and landscaping.

Applicable Regulations & Standards: Motor freight terminals are identified as a conditional use in the Industrial Limited (IL) zoning district and are subject to the standards for Conditional Uses (Section 28.183(6), MGO).

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the Conditional Use standards are met and approve the request to construct a motor freight terminal use at 3841 Merchant St. This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The project site is located within the larger Center for Industry and Commerce at the intersection of Merchant Street and Manufacturers Drive. The project site is comprised of approximately 2.21 acres.

The site is in Aldermanic District 17 (Baldeh) and the DeForest School District. The project site is also located within the Hanson Road Neighborhood Development Plan planning area.

Existing Conditions and Land Use: Today the project site is vacant and zoned Industrial Limited (IL). Pursuant to Section 28.041, MGO, the Suburban Residential-Consistent zoning district general purpose and intent speaks to:

- Providing a variety of flexible sites for small, local or start-up businesses, as well as sites for large national or regional enterprises;

- Discourage proliferation of highway-oriented commercial uses that reduce the land area available for development or expansion of employment uses;
- Facilitate preservation, development or redevelopment consistent with the adopted goals, objectives, policies and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.

Surrounding Land Use and Zoning:

North: City of Madison vacant lands; IL zoning;

South: City of Madison vacant lands; IL zoning;

East: Office use; IL zoning; and

West: City of Madison vacant lands; IL zoning.

Zoning Summary:

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	149.985 sq. ft.
Lot Width	75'	292'
Front Yard Setback	None	148.44'
Side Yard Setback	Greater of 15 feet or 20% building height	146.64' east Adequate west
Rear Yard Setback	30'	148'
Maximum Lot Coverage	75%	TBD (Condition No. 1, Zoning)
Maximum Building Height	None	One-story
Site Design	Required	Proposed
Number Parking Stalls	Motor freight terminal: As determined by Zoning Administrator	27
Accessible Stalls	Yes	1 (Condition No. 2, Zoning)
Loading	None	22
Number Bike Parking Stalls	Motor freight terminal: 1 per 5 employees 50% short-term/50% long-term	None (Condition No. 3, Zoning)
Landscaping	Yes	Yes (Conditions No. 4 & 5, Zoning)
Lighting	Yes	No (Condition No. 6, Zoning)
Building Forms	Yes	Yes, Industrial Building (Condition No. 7, Zoning)

Other Critical Zoning Items:	
Yes:	Barrier Free (ILHR 69), Utility Easements
No:	Urban Design, Historic District, Floodplain, Adjacent to Park, Wetlands, Wellhead Protection District

Zoning Tables prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

Adopted Comprehensive Plan: The Comprehensive Plan recommends Industrial for the project site, which is generally defined as accommodating “typical industrial and manufacturing uses, including some “nuisance” uses

not appropriately located in proximity to residential or many types of non-residential activities due to noise, odor, appearance or traffic impacts for example” (City of Madison Comprehensive Plan, Pg.2-97).

Adopted Neighborhood Development Plan: The project site is located within the Hanson Road Neighborhood Development Plan planning area and is designated as an area for Light Industrial development. The Plan also includes the project site in an area of development East of USH 51, and states:

“...Design criteria should be applied to the interior of the area as well to help convey that this is a unified industrial park” (Page 15, Hanson Road Neighborhood Development Plan).

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 is requesting approval of a Conditional Use application to construct a motor freight terminal use at 3841 Merchant St. As part of the application, the applicant is proposing the construction of an approximately 9,000 square-foot, one-story building with 22 truck bays, 11 on each side of the building, and office and dispatch areas. The building material palette consists of standing seam roof panel system and wall panels. Other site improvements include 27 personal vehicle parking stalls and site landscaping and screening.

Motor freight terminals are permitted as a conditional use in the IL zone district. As such, they are subject to the Conditional Use review criteria pursuant to Section 28.183(6), MGO. Generally, the intent of a Conditional Use review is to determine if a particular site is an appropriate location for a proposed use, to evaluate the compatibility of that use with surrounding uses and development, and to mitigate potential nuisance impacts to surrounding properties.

The Planning Division believes the revised plans can meet the applicable standards. Given the industrial nature of the surrounding development and the location of the project site within the larger Center for Industry and Commerce (CIC), staff believes that the project site is an appropriate location for the proposed motor freight terminal use. Staff concludes that the motor freight terminal use is compatible and consistent with its surroundings. In addition, based on the submitted information, staff does not anticipate that this use will result in significant impacts on surrounding properties.

At the time of report writing, staff was not aware of any concerns on this request.

Recommendation

Planning Division Recommendation (Contact Jessica Vaughn, (608) 267-8733)

The Planning Division recommends that the Plan Commission find that conditional use standards are met and **approve** the Conditional Use for the construction of a motor freight terminal use in the IL (Industrial Limited) Zoning District at 3841 Merchant St. 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

Planning Division (Contact Jessica Vaughn, (608) 267-8733)

1. Prior to final approval and building permit issuance, the Applicant shall submit final plans for review and approval by staff, and shall include the following revisions:
 - a. Revise sheets C-2 and A4 to reflect the same building floor area;
 - b. If applicable, revise the plan set to include the location and detail of the trash enclosure; and
 - c. Revise the floor plans and building elevations to meet the entrance orientation standards pursuant to Section 28.088(5)(b), MGO, including:
 - Relocating a building entrance to the primary abutting street, or east elevation.
 - Clearly demarcating the entrance by incorporating design elements, including fenestration, roof overhangs, recessed entries.

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

1. This property has deferred assessments for the CIC sewer Assessment District, Tancho /CIC Sewer Assessment District, Northeast Industrial Are Phase I & II assessment district that will be due upon Development.
2. 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).
3. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
4. 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)
 - l) 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 (East) or ttroester@cityofmadison.com (West). 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.

5. 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 (East) or ttroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and Section 37.09(2), MGO). 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).
6. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
 - a) SLAMM DAT files
 - b) RECARGA files
 - c) TR-55/HYDROCAD/Etc
 - d) Sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided (POLICY and Section 37.09(2), MGO).
7. 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 documents can be emailed to Tim Troester (West) at ttroester@cityofmadison.com , or Jeff Benedict at jbenedict@cityofmadison.com final document and fee should be submitted to City Engineering.
8. The Applicant shall demonstrate compliance with Sections 37.07 and 37.08, MGO 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 5.0 tons per acre per year.

9. 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 at: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION).
10. 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 infiltration in accordance with Chapter 37, MGO.
11. 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, MGO.
12. The Applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (Section 37.05(7), MGO). This permit application is available on line at: <http://www.cityofmadison.com/engineering/permits.cfm> .
13. 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).
14. All work in the public right-of-way shall be performed by a City licensed contractor (sections 16.23(9)(c)(5) and 23.01, MGO).
15. All damage to the pavement on Merchant Street & Manufacturers 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).

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

1. The Applicant shall provide a pedestrian connection from the public right-of-way to the main entrance of the building.
2. 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.

3. 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.
4. 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.
5. All parking facility design shall conform to the standards pursuant to Section 10.08(6), MGO.
6. All pedestrian walkways adjacent parking stalls shall be seven (7) feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4569)

1. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 75%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures, and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
2. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e), MGO. Provide one (1) additional accessible stall for a total of two (2) accessible stalls. One of the stalls must be a van accessible stall. A van accessible stall is a minimum of eight (8) feet wide with an eight (8)-foot wide striped access aisle. Show the required signage at the head of the stalls.
3. Bicycle parking for the proposed motor freight terminal shall comply with the requirements of sections 28.141(4)(g) and 28.141(11), MGO. Provide a minimum of five (5) bicycle parking stalls. Fifty (50) percent of the bicycle stalls must be short-term stalls located in a convenient and visible area on a paved or impervious surface within one hundred (100) feet of a principal entrance. The remaining 50% of the bicycle stalls must be long-term stalls located in an enclosed and secured or supervised area providing protection from theft, vandalism and weather, and shall be accessible to intended users. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5)-foot wide access area. Provide a detail of the proposed bike rack.
4. The Applicant shall submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3), "*Landscape Plan and Design Standards*", MGO, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
5. Provide adequate development frontage landscaping adjacent Merchant Street and Manufacturers Drive per Section 28.142(5), "*Development Frontage Landscaping*," MGO. Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. One (1) overstory deciduous tree and five (5) shrubs shall be planted for each thirty (30) lineal feet of lot frontage. Two (2) ornamental trees or two (2) evergreen trees may be used in place of one (1) overstory deciduous tree. Note that landscaping must be installed on the private property.
6. Exterior lighting provided shall be in accordance with Section 10.085, MGO. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
7. The proposed building shall satisfy the building form requirements of Section 28.173(8), MGO for an

industrial building. Facades facing a public street shall be vertically articulated at a minimum interval of sixty (60) feet. Articulation can be achieved by vertical divisions using different textures or materials or colors.

8. Per Section 28.186(4)(b), MGO, the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
9. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31, "*Sign Codes*", MGO. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

1. The Madison Fire Department does not object to this proposal provided the project complies with all applicable Fire codes and ordinances.

Parks Division (Contact Janet Schmidt, (608) 261-9688)

This agency has reviewed this request and has recommended no conditions at this time.

Water Utility (Contact Dennis Cawley, (608) 261-9243)

This agency has reviewed this request and has recommended no conditions at this time.

Metro Transit (Contact Timothy Sobota, (608) 261-4289)

This agency has reviewed this request and has recommended no conditions at this time.

City Engineering Review Mapping (Contact Jeff Quamme, (608) 266-4097)

1. Upon the conveyance of the property from the City of Madison to the applicant, the Applicant shall grant a 15-foot wide Public Storm Water Drainage and Storm Sewer Easement along the south line of the site. The City of Madison Real Estate Staff shall draft and administer the easement document.