



PREPARED FOR THE PLAN COMMISSION

Project Address: 4198 Nakoosa Trail (District 15 – Ald. Ahrens)
Application Type: Conditional Use
Legistar File ID # [52755](#)
Prepared By: Sydney Prusak, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Electrify America C/O Black & Veatch; 5885 Meadows Road Suite 700; Lake Oswego, OR 97035
Contact: Breanne Mocaby; Black & Veatch; 5885 Meadows Road Suite 700; Lake Oswego, OR 97035
Property Owner: Walmart Real Estate Business Trust; Bentonville, AR 72712

Requested Action: The applicant requests conditional use approval to construct an auto service station (i.e. an electric car charging facility) at 4198 Nakoosa Trail.

Proposal Summary: The applicant, Electrify America, requests approval to modify eight (8) existing parking stalls into four (4) electric vehicle charging stations at the Nakoosa Trail Walmart.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses in MGO §28.183.

Review Required By: Plan Commission (The Secretary of the Urban Design Commission reviewed this request administratively on behalf of the Urban Design 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 an auto service station (i.e. an electric car charging facility) at 4198 Nakoosa Trail. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The 992,069-square-foot (22.8-acre) subject property is located to the northeast of the intersection of Commercial Avenue and Nakoosa Trail. The site is within Aldermanic District 15 (Ald. Ahrens), as well as the limits of the Madison Municipal School District.

Existing Conditions and Land Use: The subject site is currently developed with a large surface parking lot in the front (southwest) third of the site and a large Walmart located in the middle of the site. There are two small parcels at the corner of Commercial Avenue and Nakoosa Trail and an adjoining City stormwater facility abutting the east branch of the Starkweather Creek. The subject site contains one access point from Commercial Avenue, and there are two access points along Nakoosa Trail on the southeast end of the site.

Surrounding Land Use and Zoning:

- North:** The Starkweather Creek East Branch and City Engineering Stormwater Facility, zoned CN (Conservancy District), with the Wisconsin and Southern Railroad beyond;
- East:** A mix of commercial and industrial uses, zoned IL (Industrial Limited District);
- South:** The site of the future Madison Metro Satellite Bus Facility, zoned IL, and a traditional auto service station, zoned CC ; and
- West:** Vacant land owned by the Walmart Business Trust, zoned CN and Safe Haven temporary housing, zoned CC.

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends general commercial (GC) development for the subject site. While the [East Town-Burke Heights Neighborhood Development Plan \(1987\)](#) recommends commercial for development for the subject site, it provides no guidance related to the conversion of parking stalls for electrical charging stations.

Zoning Summary: The property is zoned CC (Community Corridor District).

Requirements	Required	Proposed
Front Yard Setback	None	Adequate
Side Yard Setback	One-story: 5' Two-story or higher: 6'	Adequate
Rear Yard Setback	The lesser of 20% of lot depth or 20'	Adequate
Maximum Lot Coverage	85%	Existing lot coverage
Maximum Building Height	5 stories/ 68'	Existing 1 story building
Number Parking Stalls	Not required	Remove 4 existing parking stalls within project area
Accessible Stalls	None	Existing accessible stalls
Loading	None	Existing loading facilities
Number Bike Parking Stalls	None	Existing bike parking
Landscaping	Not required	Yes (13)
Lighting	Not required	Existing lighting
Building Forms	Not required	Existing building
Other Critical Zoning Items	Urban Design; Utility Easements; Barrier Free (ILHR 69)	

Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: While the location of the electric vehicle charging station is not located within an environmental corridor, there are portions of the subject property that are located within an environmental corridor and designated wetland per the Department of Natural Resources Wetlands Map.

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

Project Description

The applicant, Electrify America, requests conditional use approval to establish a four-stall electric vehicle charging station in the southeast corner of the Walmart parking lot near the Nakoosa Trail entrance. The Zoning Administrator has determined that this use is considered an “automobile service station,” which requires conditional use approval in the CC (Commercial Corridor) Zoning District.

In order to establish the electric vehicle charging stations, a few parking lot modifications are required. In total, the proposed charging station would impact approximately 1,310 square-feet of the existing parking lot. The

applicant proposes to modify eight (8) existing stalls to create four (4) electric vehicle charging stalls and an equipment pad. According to the site plan and letter of intent, each stall will be equipped with a dispenser placed in a side-by-side configuration on concrete footing protected by bollards. The equipment pad will be surrounded by gray eight (8) foot tall composite fence enclosure. This will conceal the switchboard assembly for the stations and six (6) power units. This proposal also includes the installation of a new transformer across the drive aisle from the enclosure in the adjacent landscape buffer east of the other equipment, which will necessitate the removal of one tree and light pole. According to the applicant, the tree and light pole will be replaced a few feet from their current locations.

The letter of intent indicates that the facility would be available 24 hours a day, seven days a week. Customers charging their vehicles will pay on-site at the individual charging stations with major credit and/or debit cards. On average, vehicles will be fully charged in 15 to 30 minutes. The charging station would be part of a national network of charging stations for all electric vehicles.

Analysis and Conclusion

The Zoning Administrator has determined that the proposed use is an “auto service station,” which is a conditional use in the CC (Commercial Corridor) zoning district. As such, this proposal is subject to the approval standards for conditional uses. In regards to the approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City’s adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met. The Planning Division believes that the proposed auto service station is consistent with the commercial development recommendations found in both the [Comprehensive Plan \(2018\)](#) and the [East Town-Burke Heights Neighborhood Development Plan \(1987\)](#).

Given that the subject site is included within a large retail development (Walmart), per MGO §33.24(4)(f), review from Urban Design Commission (UDC) is required. Due to the relatively modest scope of the site changes, the UDC Secretary reviewed the plans on behalf of the UDC and recommended approval with one condition: That the applicant consider planting a more robust canopy tree to replace the proposed silver maple.

Staff believes that the conditional use standards can be found met. While this project eliminates eight (8) existing parking stalls for Walmart, there is no minimum parking requirement in the CC Zoning District.

Staff was not aware of any concerns on this request at the time of report writing.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to construct an auto service station (i.e. an electric car charging facility) at 4198 Nakoosa Trail. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

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

Urban Design Commission Secretary (Contact Janine Glaeser, (608) 267-8740)

1. The applicant shall consider planting a more robust canopy tree to replace the proposed silver maple.

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

2. The property is an open contaminant site with the WDNR (BRRTS #02-13-563747). Applicant shall submit proof of coordination with the WDNR to address contaminant concerns associated with the proposed site plan to Brynn Bemis (608.267.1986, bbemis@cityofmadison.com).
3. 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 5.0 tons per acre per year.
4. 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)
5. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

City Engineering Division - Mapping (Contact Jeffrey Quamme, (608) 266-4097)

6. If available, provide a specific metes & bounds description and total square footage of the leased area.
7. The address of the leased area is 4198 Nakoosa Trl # EVCS.

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

8. 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.
9. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
10. "Stop" signs shall be installed at a height of seven (7) feet at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
11. Include a parking plan demonstrating how specific stalls, to be used by the commercial site, will be reserved. Include any signage to be used to achieve this goal in the submitted plans.

Zoning (Contact Jenny Kirchgatter, (608) 266-4429)

12. Submit an overall site plan of the entire site showing the location of the proposed electric vehicle charging station.
13. Show the two (2) Aristocrat Pear trees within the east landscape island per the approved 2015 landscape plan.
14. Per Section 28.186(4)(b), 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.