

## PLANNING DIVISION STAFF REPORT

July 16, 2018



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1602 Parkside Drive (District 17 – Ald. Baldeh)  
**Application Type:** Conditional Use  
**Legistar File ID #** [51954](#)  
**Prepared By:** Colin Punt, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

### Summary

**Applicant/Contact:** Mark Pearson; Amcor; 4101 Lien Road; Madison, WI 53704  
**Property Owner:** Thomas Peterson; Realty Income; 11995 El Camino Real; San Diego, CA 92130

**Requested Action:** The applicant requests approval of a conditional use to construct a private parking facility (parking lot) in a Commercial Corridor - Transitional (CC-T) zoning district at 1602 Parkside Drive.

**Proposal Summary:** The applicant proposes to construct a parking lot at 1602 Parkside Drive for a manufacturing facility located at 4101 Lien Road.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Conditional Uses [MGO §28.183], as Table 28D-2 in §28.061 of the Zoning Code identifies a private parking facility as a conditional use in the Commercial Corridor - Transitional (CC-T) zoning district.

**Review Required By:** Plan Commission (PC)

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the conditional use request for a private parking facility at **1602 Parkside Drive**. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

### Background Information

**Parcel Location:** The 1.78-acre subject property is located on the west side of Parkside Drive, south of Lien Road. The site is within Aldermanic District 17 (Ald. Baldeh) and the Madison Municipal School District.

**Existing Conditions and Land Use:** The subject site is zoned Commercial Corridor – Transitional (CC-T) and is currently vacant.

#### Surrounding Land Use and Zoning:

North: A City of Madison Fire Station and small commercial office building, both zoned Commercial Corridor – Transitional District (CC-T);  
South: A church and a vacant lot, both zoned Industrial Limited District (IL);  
East: Amcor’s manufacturing facility, zoned Industrial General District (IG); and

**West:** A grocery store, with a motel beyond, both zoned CC-T.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2006) recommends Commercial Mixed Use (CMU) for the subject site. The [East Towne - Burke Heights Neighborhood Development Plan](#) (1987) recommends Commercial land use.

**Zoning Summary:** The property is zoned Commercial Corridor - Transitional (CC-T).

Requirements	Required	Proposed
Front Yard Setback	N/A	Adequate
Side Yard Setback	N/A	Adequate
Rear Yard Setback	N/A	Adequate
Maximum Lot Coverage	85%	Less than 85% (See Zoning Comment #1)
Maximum Building Height	N/A	N/A

Site Design	Required	Proposed
Number Parking Stalls	No minimum	147
Accessible Stalls	Not required	5
Loading	None	None
Number Bike Parking Stalls	Not required	None
Landscaping and Screening	Yes	Yes (See Zoning Comment #2)
Lighting	Yes	Yes
Building Forms	N/A	N/A

<b>Other Critical Zoning Items</b>	Utility Easements, Wellhead Protection District 15
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*Tables Prepared by Jenny Kirchgatter, 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 range of urban services.

## Project Description, Project Analysis, and Conclusion

The applicant requests approval of a conditional use to construct a parking lot (private parking facility) in a Commercial Corridor - Transitional (CC-T) zoning district at 1602 Parkside Drive. This proposal is subject to the standards for Conditional Uses [MGO §28.183], as Table 28D-2 in §28.061 of the Zoning Code identifies a private parking facility as a conditional use in the CC-T district. The parking lot at 1602 Parkside Drive for a manufacturing facility located at 4101 Lien Road.

The applicant, Amcor Flexibles, seeks to construct a 147-stall parking lot for Amcor staff. The current parking on Amcor's manufacturing site provides 117 cars. According to the applicant, the existing parking lot is over capacity during first shift operation and during shift changes. Within the next year, Amcor expects to add 50 employees, exacerbating their parking issues. Further, a plant expansion (permitted under zoning) will eliminate almost all existing on-site parking, necessitating the need for a new parking lot. Assuming Plan Commission approval, Amcor plans to complete the parking lot by autumn 2018. Access to the planned lot will be available from an existing service drive on the south side of the property, which is accessed from Parkside Drive. According to the applicant, this parking lot will be used by employees only. As part of the parking lot project, 20 bicycle parking stalls will be installed near the manufacturing plant's employee entrance.

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, supplemental regulations, and finding that all of the conditional use standards of M.G.O. §28.183(6) are met. This request is also subject to additional considerations related specifically to exceeding the maximum parking requirement.

In regards to Plan Consistency, The [Comprehensive Plan](#) (2006) recommends Commercial Mixed Use (CMU) for the subject site. The Comprehensive Plan's Community Mixed-Use districts are recommended for a relatively high-intensity mix of residential, retail, office, institutional, and civic uses. Parking is recommended to be placed behind buildings or underground. The [East Towne - Burke Heights Neighborhood Development Plan](#) (1987) recommends Commercial land use. Other than its inclusion in the land use plan, there is no other mention of this site or the surrounding properties in the Neighborhood Development Plan, or significant discussion of the commercial land use designation. Because it is adjacent to and across Parkside Drive from industrially-zoned property that is also designated for industrial land use and related to the proposal, Staff believes this use can be found consistent with adopted plans.

Staff believes the proposal could be found to meet the conditional use standards. With regards to standard 1, the lighting shown on the plan and appropriate signage or crossing features to assist pedestrians crossing Parkside Drive at the northeast corner of the site will alleviate any negative affects on public health and safety. Lastly, regarding standards 3 and 4, most neighboring properties are oriented with their public facades facing away and back-of-house operations facing toward this property, and its immediate tie to and use by the significant employer across Parkside Drive relates its use to that of the Amcor and limit any plan inconsistencies. The proposal also meets the supplemental requirements for non-accessory parking facilities found in M.G.O. §28.151.

A time of report writing, staff is unaware of any comments or concerns from the public. The Planning Division believes that the approval standards can be met.

## Recommendation

### Planning Division Recommendation (Contact Colin Punt, 243-0455)

The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the conditional use request for a private parking facility at **1602 Parkside 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 | |--|

### Zoning Administrator (Contact Jenny Kirchgatter, 266-4560)

1. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 85%. 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. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 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.

3. 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.

**Engineering Division - Main Office** (Contact Brenda Stanley, 261-9127)

4. The adjacent property (3939 Lien Rd) is a former dry cleaner being investigated under DNR supervision. Contamination from 3939 Lien Rd may extend onto this property. It is recommended that the developer coordinate with the DNR to ensure proper soil testing and disposal. Contact the DNR project manager Trevor Bannister with questions (608.275.3490, [trevora.bannister@Wisconsin.gov](mailto:trevora.bannister@Wisconsin.gov)).
5. This site has no storm sewer immediately available for connection to the required detention system. The applicant shall either find a means to design the storm system to discharge to the curb or shall be required to extend storm up Parkside Drive approximately 200 feet to serve this parcel. An alternate option would be to connect to the existing inlet located within a public easement behind 3841 E Washington Ave (Howard Johnsons). If this option is chosen the applicant will be required to obtain off-site storm sewer easement from the necessary properties, for the privately owned storm sewer system.
6. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO16.23(9)(d)(4))
7. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
8. 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)

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.

9. 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 MGO 37.09(2)) 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).
10. 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.
11. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit application and plan. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
12. 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 document 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.

13. 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.
14. 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 <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)
15. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. (POLICY)
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10, & 100 -year storm events, matching post development rates to predevelopment rates.
17. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls.
18. 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 of the Madison General Ordinances.
19. 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.
20. 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 oil/grease control treating the first 1/2 inch of runoff over the entire parking lot in accordance with Chapter 37 of the Madison General Ordinances.

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

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| <p>21. The fencing and parking improvements along the north line are within very close proximity of a public sanitary sewer manhole along the north side of the site. Applicant shall provide a map exhibit of planned improvements (fence and parking) within the Public Sanitary Sewer Easement (Doc No. 1368992 plat of Colony Heights) and \$500 administrative fee to Jeff Quamme (<a href="mailto:jrquamme@cityofmadison.com">jrquamme@cityofmadison.com</a>) to set up a Real Estate project for a Consent to Occupy Easement Agreement.</p> |
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22. The fencing along the north line of the site requires written consent by MG&E per Doc No 2096062. Coordination with MG&E is the responsibility of the applicant prior to construction.

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

23. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
24. 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.

**Parks/Forestry** (Contact Brad Hofmann, 266-4816)

25. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction -
26. Contractor shall contact City Forestry Brad Hofmann bhofmann@cityofmadison.com or 266-4816 at least one week prior to planting to schedule inspecting the nursery stock and review planting specifications with the landscaper.