



PLANNING DIVISION STAFF REPORT

October 19, 2020

PREPARED FOR THE PLAN COMMISSION

Project Address: 722 E Main Street (District 6 – Ald. Rummel)
Application Type: Conditional Use
Legistar File ID # [62083](#)
Prepared By: Sydney Prusak, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Brian Reed; Potter Lawson; 749 University Row, Suite 300; Madison, WI 53705

Property Owner: Tim Bliedernicht; 623 Railroad Street; Madison, WI 53703

Requested Action: The applicant requests approval of a conditional use to construct an auto service station (i.e. an electric vehicle charging facility) in the Traditional Employment (TE) Zoning District at 722 E Main Street.

Proposal Summary: The applicant, Madison Gas & Electric Company (MGE), proposes to convert an existing surface parking lot into an electric vehicle charging facility, which will charge approximately 16 electric vehicles at a time.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.18] and the standards for Urban Design District 8 [MGO §33.24(15)].

Review Required By: Urban Design Commission (UDC) and Plan Commission (PC)

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 722 E Main Street. 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 136, 149-square-foot (approximately 3.1) subject property is located on the northeast side of Main Street and spans the entire 700 block face, with two portions of the site abutting E Washington Avenue. The specific area proposed for redevelopment is located at the southwest corner of E Washington Avenue and S Livingston Street. The subject site is within Aldermanic District 6 (Ald. Rummel), the Madison Municipal School District, and Urban Design District #8 (UDD #8).

Existing Conditions and Land Use: The subject site is currently developed with MGE facilities, primarily a large MGE substation located on E Main Street. The portion of the site proposed for redevelopment currently used as an employee, guest, and maintenance parking lot for the substation.

Surrounding Land Use and Zoning:

- North:** The Galaxie mixed-use development, zoned Traditional Employment (TE) District;
- East:** The Sylvee entertainment venue, zoned TE, with a variety of commercial and employment uses beyond;
- South:** MGE power facility and substation, zoned TE; and
- West:** An auto service station (BP gas station) and convenience store, with a mixed-use building beyond, zoned TE.

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#), the [East Washington Capitol Gateway Corridor Plan \(2008\)](#), and the [East Rail Corridor Plan \(2004\)](#) all recommend Employment (E) uses for the subject site.

Zoning Summary: The property is zoned Traditional Employment (TE) District and Wellhead Protection District - 24 (WP-24).

| Requirements | Required | Proposed |
|------------------------------------|--|-----------------|
| Lot Area (sq. ft.) | 6,000 sq. ft. | 136,149 sq. ft. |
| Lot Width | 50 ft. | 85 ft. |
| Front Yard Setback | None | 85 ft. |
| Side Yard Setback | None | N/A |
| Rear Yard Setback | 20 ft. | N/A |
| Maximum Lot Coverage | 85% | 84% |
| Number Parking Stalls | No minimum | 26 |
| Accessible Stalls | 1 | 1 |
| Loading | Not required | No |
| Number Bike Parking Stalls | 2 | 0 (21) |
| Landscaping | Yes | Yes |
| Lighting | Not required | Yes (22) |
| Building Forms | N/A | N/A |
| Other Critical Zoning Items | Urban Design (UDD #8); Utility Easements; Wellhead Protection District | |

Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not located within an environmental corridor.

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

Project Description

The applicant, Madison Gas & Electric (MGE), proposes to establish 16 electric vehicle (EV) charging stations at the southwest corner of E Washington Avenue and S Livingston Street. The Zoning Administrator determined that this use is an “automobile service station,” which requires conditional use approval in the Traditional Employment (TE) Zoning District.

According to the letter of intent, the proposed DC fast chargers allow EV drivers to charge their vehicle in as little as 20 minutes. This high-powered charging is intended to serve drivers in single-family homes or multi-family buildings that do not have chargers within their residences and provide charging opportunities for taxi, ride-hailing, and ridesharing services, with the potential for larger fleet service charging in the future. As proposed, the charging stations will be available 24 hours a day, seven days a week.

In regards to the site improvements, the applicant proposes to install more landscaping features along E Washington Avenue and S Livingston Street. The existing parking lot will be reconfigured to conform to Zoning standards and the applicant will also install tree islands and other vegetative areas to reduce the amount of impervious pavement on site. Access to the site will be provided off S Livingston Street.

Project Analysis and Conclusion

This proposal is subject to the standards for Conditional Uses [MGO §28.18] and the standards for Urban Design District 8 [MGO §33.24(15)]. 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.

In regards to the adopted plans, the [Comprehensive Plan \(2018\)](#), the [East Washington Capitol Gateway Corridor Plan \(2008\)](#), and the [East Rail Corridor Plan \(2004\)](#) all recommend Employment (E) uses for the subject site. While this proposal is for a service/commercial use, staff does not believe that this proposal necessarily contradicts the goals and objectives in the applicable plans for the site. Furthermore, the Planning Division does not believe that establishing an auto-service station use will prevent the site from developing into an employment use in the future considering that no physical building is proposed. Staff notes that this portion of the site is currently used as a surface parking lot and believes that installing EV chargers will improve the existing conditions. Staff also believes that this proposal furthers some of the "Green and Resilient" goals in the [Comprehensive Plan \(2018\)](#).

Therefore, the Planning Division believes that all the conditional use approval standards can be found met. Staff does not believe that this use will diminish the uses, values, and enjoyment of other property in the neighborhood nor will it impede the normal and orderly development for uses permitted in the district.

Lastly, as the subject site is located within Urban Design District 8, this proposal required review and approval from the Urban Design Commission (UDC). At their October 7, 2020 meeting, the UDC found the standards met and approved this request with no conditions of approval.

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 722 E Main Street. 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

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

1. City records show 2 private storm sewer connections. Verify if those exist and if they do show on site plans.
2. 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. (MGO 16.23(9)(d)(4))

3. Obtain a permit to Excavate in the Right-of-Way for the connection and/or installation of utilities required to serve this project and shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO 10.05(6)), MGO 35.02(4)(c)(2)), and MGO 37.05(7))
4. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
5. If removing or abandoning private storm sewer, obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))
6. Current plan shows less than 4,000 sf disturbed area. If plans are not revised, no Erosion Control or Storm Water Management Permits will be required. If additional pavement and base removal (which disturbs the subbase) is need that may trigger permit requirements.
7. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
8. 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).

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

9. Identify and show on the plans the underlying lot lines and label the lot and block numbers of recorded Plat.
10. The address of the parking lot is 20 S Livingston St. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
11. Correct street name on existing condition photo views sheet from West Washington Ave to East Washington Ave.

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

12. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.

13. 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.
14. 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.
15. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
16. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
17. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign 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.
18. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
19. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
20. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.

Zoning (Contact Jacob Moskowitz, (608) 266-4650)

21. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 2 short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. 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.
22. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal

Forestry (Contact Bradley Hofmann, (608) 266-4816)

23. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

24. Damaging Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
25. Excavation As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.
26. Planting additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.
27. Pruning Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
28. Soil Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
29. Street All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within whose district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.

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

30. In coordination with public works improvements, the applicant shall maintain or replace the existing concrete boarding pad at the bus stop on the south side of East Washington Avenue, west of South Livingston Street (#1927).
31. As identified on the plans submitted for review, the applicant shall install and maintain the limestone seating

blocks - as part of the private landscape plan - opposite this existing Metro bus stopzone.

32. The existing bus stop zone provides critical access to the City's transit operations, and any planned or permitted obstruction of the existing bus stop zone in excess of thirty (30) days may require additional right-of-way improvements and/or other mitigation measures in coordination with Traffic Engineering and Metro Transit staff - in order to create a temporary alternate bus stop zone serving the Livingston Street intersection area.

33. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

34. Metro Transit operates daily all-day transit service along East Washington Avenue, adjacent this property. Bus stop ID #1927 is on the south side of East Washington Avenue, west of South Livingston Street.