



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite LL-100
126 S. Hamilton Street
P.O. Box 2985
Madison, Wisconsin 53701-2985
Phone: (608) 266-4635
Fax (608) 267-8739
www.cityofmadison.com

June 5, 2018

Chad Fairbanks
Core States Group
6500 Chippewa Street, Suite 200
St. Louis, MO 63109

RE: Legistar ID# 51323 | Accela ID: 'LNDUSE-2018-00041' -- Approval of a conditional use to allow construction of an auto service station and convenience store with accessory outdoor storage and display (sales) areas at 3603 Cross Hill Drive.

Dear Mr. Fairbanks:

At its June 4, 2018, the Plan Commission, meeting in regular session, found the standards met and **approved** your client's conditional use requests for 3603 Cross Hill Drive. The conditions of approval in the following sections shall be satisfied prior to issuance of building permits for the project.

Please contact Brenda Stanley, City Engineering Division, at (608) 261-9127 if you have questions regarding the following seventeen (17) items:

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

1. This site appears to have a land use that will result in their inclusion as a restaurant class sanitary sewer customer. The applicant shall be aware that beginning on April 1, 2018 restaurant class charges for sanitary sewer customers shall begin. This will charge commercial kitchen facilities a higher sanitary sewer fee per gallon than domestic users and is based on strengths of waste measured at representative similar customers throughout the City. If the applicant desires, a sampling manhole may be installed, as part of the initial construction at their cost, to allow site specific sampling of their waste to determine sanitary sewer charges specifically for this site. If no sampling manhole is installed, this site will default to the restaurant class code in Chapter 35 recently adopted by the Common Council. If you have questions on the restaurant class sewer charges please contact Megan Eberhardt at 608-266-6432.
2. 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. (MGO 16.23(9)(d)(4))

3. 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)
4. 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.
5. 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 either: 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.

6. 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).
7. 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).
8. 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.
9. 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.
10. 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.
11. 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)
12. 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)

13. 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.
14. 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.
15. 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.
16. 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.
17. The Applicant shall show new public sidewalk along High Crossing Blvd. adjacent to this project.

Please contact Jeff Quamme, City Engineering Division - Mapping, at (608) 266-4097 if you have questions regarding the following item:

18. The proposed development has building improvements within the Joint Driveway Easement Agreement per Doc. No. 3503224. Applicant shall provide a recorded copy of the amendment to the agreement reconfiguring the easement area to conform to the development as proposed.

Please contact Sean Malloy, Traffic Engineering Division, at (608) 266-5987 if you have questions regarding the following eleven (11) items:

19. Note: The developer shall maintain the existing driveway on High Crossing Boulevard as approved for the development at 5555 High Crossing Boulevard, driveway shall be in accordance with item 26 of the January 6, 2009 conditions of approval which states: The main driveway approach entrance on High Crossing Blvd. shall be a special design "Street Type Entrance" maximum of thirty (30) feet in width with a radius of twenty-five (25) feet at the right-of-way. The applicant shall revise the driveway and approach in the existing easement. The egress shall be two lanes with a fifteen (15) foot lanes separated by a double yellow epoxy line. A six (6) inch epoxy white lines for the six (6) foot wide crosswalk and twenty-four (24) inch epoxy white stop bar five (5) feet behind the crosswalk shall be painted at the intersection of the street. The Applicant shall provide detail drawing of the approach. In addition, a note shall be shown on the plan. "ALL PAVEMENT MARKING SHALL BE INSTALLED IN EPOXY AND MAINTAINED BY THE PROPERTY OWNER."
20. 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.

21. 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.
22. 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.
23. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
24. The applicant(s) shall maintain a 5 foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a 5 foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by Traffic Engineering.
25. All pedestrian walkways adjacent parking stalls shall be 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.
26. 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.
27. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
28. Note: The applicant has submitted the requested Traffic Impact Analysis study; the study has been reviewed and accepted by Traffic Engineering.
29. The developer shall construct the Southern entrance according to MGO standards as set in section 10.08. This is typically done by constructing a maximum 30 foot wide entrance with a maximum 50 foot wide curb cut.

Please contact Jenny Kirchgatter, Zoning Division, at (608) 266-4429 if you have questions regarding the following sixteen (16) items:

30. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street façade (plan North façade). At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within

three (3) feet of grade. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass that mimics the appearance of windows may be used for up to 20% of the required area of the openings.

31. The final site plan shall show the locations where outdoor display (sales) and storage are proposed.
32. The sale of propane canisters is considered fuel sales. The outdoor ice coolers shall be screened in accordance with the supplemental requirements for outdoor storage in Section 28.151 of the Zoning Code.
33. The applicant shall indicate what items will be displayed and sold outdoors and verify that those items will be sold in the convenience store. Outdoor display shall not exceed 16 hours per day.
34. This project is designed as a planned multi-use site. Per Section 28.137(2)(a), a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development recorded in the office of the Dane County Register of Deeds.
35. Submit an overall site plan showing the entire planned multi-use site including the adjacent property at 5555 High Crossing Blvd.
36. Show the setback distance of the convenience store building as measured to the front northwest property line. The front yard setback distance is a maximum of 85 feet.
37. Show the setback distance of the fuel canopy measured to the rear southeast property line. No building, structure, canopy, gasoline pump, or storage tank shall be located within 25 feet of a residential zoning district.
38. 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 including pools, patios, etc., 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.
39. Parking is proposed in excess of the maximum number of spaces. Per Table 28I-3 Off-Street Parking Requirements, the automobile parking maximum is one (1) parking space per 500 square feet of floor area (9 parking stalls). The Zoning Administrator may approve an increase of up to twenty (20) spaces above the maximum requirement. Submit an Application for a Parking Adjustment with supporting documentation per Section 28.141(6)(c) with the final plan submittal.
40. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of four (4) short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. As shown, the proposed bicycle stalls do not comply with width and orientation of the access aisle. Provide a detail of the proposed bike rack.

41. Submit a detail of the zoning district boundary screening fence located adjacent the southeast property line with the final plans. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height.
42. Submit a detail of the trash enclosure. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
43. Relocate exterior mechanical equipment located on the north building façade. Exterior mechanical equipment such as ductwork shall not be located on primary building facades.
44. 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.
45. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Bill Sullivan, Madison Fire Department, at (608) 261-9658 if you have questions regarding the following item:

46. Include a fire department access plan with the site verification submittal package. Fire lanes shall comply with the IFC & MGO 34.

Please contact Kate Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following item:

47. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.

Please contact Adam Wiederhoeft, Water Utility, at (608) 266-9121 if you have any questions regarding the following three (3) items:

48. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

49. General Utility Notes, No. 3, references site irrigation system installations which are not depicted on the drawing. Revise drawing to reflect proposed irrigation system or otherwise discuss/provide system configuration information to Madison Water Utility Prior to final project sign-off. Contact Adam Wiederhoeft at awiederhoeft@madisonwater.org or 608-213-1844.
50. Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

Please contact Tim Sobota, Metro Transit, at (608) 261-4289 if you have any questions regarding the following three (3) items:

51. In coordination with public works improvements, the applicant shall install public sidewalk in any currently unimproved public right-of-way adjacent the property.
52. In coordination with public works improvements, the applicant shall install and maintain a concrete passenger boarding pad for a Metro bus stop on the south side of High Crossing Boulevard, east of Cross Hill Drive. The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.
53. The applicant shall construct a wheelchair accessible pedestrian connection between the building entrance and public sidewalk along the High Crossing Boulevard property frontage.
54. 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 and approve the design.

Please contact my office at (608) 261-9135 if you have any questions regarding the three (3) following items:

55. No outdoor amplified advertisements or music shall be permitted at any time.
56. The hours of operation for the auto service station and convenience store with accessory outdoor storage and display (sales) areas shall be daily from 5:00am -11:00 pm. Future modifications to the hours of operation may be requested by the applicant in the future as a minor alteration of the conditional use.
57. The applicant shall revise plans and select a material color of the Hardie-Plank lap siding material shown on the rear building elevation on Sheet A-202 that closely matches that of the architectural fiberglass shingles used on the building's primary roof. This information shall be provided for staff approval.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining your conditional use:

1. Please revise your plans per the above conditions and submit **ten (10) copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, 126 S. Hamilton Street. **This submittal shall all also include one complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. 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.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
4. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.
6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use, demolition or building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at (608) 261-9135.

Sincerely,



Chris Wells
Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for this conditional use permit.

Signature of Applicant

Signature of Property Owner (if not the applicant)

cc: Brenda Stanley, City Engineering
Jeff Quamme, Engineering Mapping
Sean Malloy, Traffic Engineering
Jenny Kirchgatter, Zoning Division
Bill Sullivan, Fire Department
Kate Kane, Parks Division
Kay Rutledge, Parks Division
Adam Wiederhoeft, Water Utility
Tim Sobota, Metro Transit

| For Official Use Only, Re: Final Plan Routing | | | |
|---|-----------------------|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | Planning Div. (Wells) | <input checked="" type="checkbox"/> | Engineering Mapping Sec. |
| <input checked="" type="checkbox"/> | Zoning Administrator | <input checked="" type="checkbox"/> | Parks Division |
| <input checked="" type="checkbox"/> | City Engineering | <input type="checkbox"/> | Urban Design Commission |
| <input checked="" type="checkbox"/> | Traffic Engineering | <input type="checkbox"/> | Recycling Coord. (R&R) |
| <input checked="" type="checkbox"/> | Fire Department | <input checked="" type="checkbox"/> | Metro Transit |
| <input checked="" type="checkbox"/> | Water Utility | | |