



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017  
215 Martin Luther King, Jr. Blvd  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
Phone: (608) 266-4635  
[www.cityofmadison.com](http://www.cityofmadison.com)

September 17, 2019

Jeff Osgood  
Kwik Trip, Inc.  
1626 Oak Street  
La Crosse, WI 54602

RE: Legistar #57100; Accela 'LNDUSE-2019-00088' -- of a conditional use to allow construction of an auto service station with convenience store and attached car wash at **6510 Cottage Grove Road**.

Dear Mr. Osgood:

At its September 16, 2019, meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request to construct an auto service station with convenience store and attached car wash at **6510 Cottage Grove Road**. In order to receive final approval of the conditional use and for any permits that may need to be issued for your project, the following conditions shall be met:

**Please contact Colin Punt of the Planning Division, at 243-0455, if you have any questions regarding the following six (6) items, including item 6, which was added by the Plan Commission at the public hearing:**

1. Applicant shall install a decorative wall or landscaping immediately east of the car wash exit to mitigate headlight glare directed toward the residences across future Sprecher Road from vehicles exiting the car wash, with details to be approved by staff.
2. An 8" red LED stripe is shown on all sides of the fueling area canopy. There shall be no fascia lighting of the east side of the canopy.
3. Floor area and layout of the convenience store building shall be consistent between letter of intent, site plans, and building floor plans.
4. Clarify the location of the ice and propane storage on the site plans, floor plans, and elevation plans.
5. Label height dimensions and materials on the fueling canopy elevations.
6. That the car wash shall not operate later than 10 p.m.

**Please contact Jacob Moskowitz, Assistant Zoning Administrator, at 266-4560 if you have any questions regarding the following one (1) item:**

7. Parking is proposed in excess of the maximum number of spaces. Per Table 28I-3 Off-Street Parking Requirements, the automobile parking maximum is 1 parking space per 500 square feet of floor area (19 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 and supporting documentation per section 28.141(6)(c) with the final plan submittal.

**Please contact Brenda Stanley of the Engineering Division, at 261-9127 if you have any questions regarding the following fourteen (14) items:**

8. Developer's Engineer shall coordinate with Engineering staff to make sure that the lateral installed with the subdivision development (Project 12583) is installed in the proper location to provide sewer service to the property. Daniel Olivares dolivares@cityofmadison.com, (608)261-9285 is the contact for this project.
9. The stormwater design and construction of the public stormwater facility on OL1 must at least be completed (at least rough graded) prior to this construction permit being issued.
10. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit, surety to guarantee the construction of the improvements and a deposit to cover estimated City expenses will be required.
11. This property has deferred assessments for the Door Creek Southern Sewer assessment district that are due and payable prior to final approval.
12. 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))
13. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
14. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
15. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
16. 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>. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.

17. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
18. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>. 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.
19. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this lot is part of a larger CSM and is dependent on the public outlot to treat for detention and TSS. This site shall be required to treat for oil and grease on site. The larger development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>. The Storm Water Management plan and report requirements can be found with the CSM conditions of approval. 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.
20. 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.
21. 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

**Please contact Jeff Quamme of the Engineering Division – Mapping Section, at 266-4097 if you have any questions regarding the following five (5) items:**

22. Coordinate and request from the utility companies serving this area the easements required to serve this development and other lots within the pending CSM. Those easements shall be properly shown, dimensioned and labeled on the pending Certified Survey Map. Coordination is necessary considering the retaining walls, picnic table area and sign proposed along the northerly and easterly

sides of the lot adjacent to the street right of ways. Electric, gas and communication facilities are typically installed within or near those locations.

23. Provide for review, comprehensive reciprocal easement and agreement for common access off of proposed Kilpatrick Lane as necessary to accomplish the land division and site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
24. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland storm water drainage. A private Storm Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance.
25. The address of the proposed Kwik Trip is 6525 Kilpatrick Ln. Since the car wash is attached to the building, it will not require a separate address (unless requested by MFD or the applicant). 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.
26. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.

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

27. 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; 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.
28. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
29. 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.
30. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
31. 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.

32. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
33. 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.
34. "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.
35. 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.
36. Per MGO 10.08 (4)(a)3. A Class III has a maximum permitted entrance width of 30 feet. The applicant shall provide information if they wish for a variance.
37. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

**Please contact Bill Sullivan of the Fire Department, at 261-9658 if you have any questions regarding the following one (1) items:**

38. Include a fire access plan showing the location of the required fire lane locations, dimensions & turn radii with the site verification plan set.

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

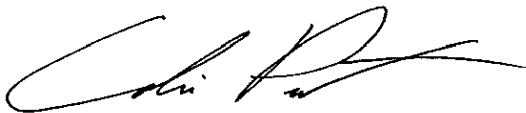
**Please now follow the procedures listed below for obtaining your conditional use:**

1. Please revise your plans per the above conditions and submit **six (6) 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, **215 Martin Luther King, Jr. Blvd.** 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 letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
3. The conditional use 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.
4. Any alteration in plans to an approved conditional use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator, following consideration by the alderperson of the district, 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.
5. 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 or building permits, please contact the Zoning Administrator at 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 243-0455.

Sincerely,



Colin Punt  
Planner

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

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner (if not the applicant)*

cc: Jacob Moskowitz, Asst. Zoning Administrator  
Sean Malloy, Traffic Engineering  
Brenda Stanley, Engineering Division  
Jeff Quamme, Engineering Division – Mapping  
Bill Sullivan, Fire Department

| LNDUSE-2019-00088                             |                      |                                     |                          |
|-----------------------------------------------|----------------------|-------------------------------------|--------------------------|
| For Official Use Only, Re: Final Plan Routing |                      |                                     |                          |
| <input checked="" type="checkbox"/>           | Planning Div. (Punt) | <input checked="" type="checkbox"/> | Engineering Mapping Sec. |
| <input checked="" type="checkbox"/>           | Zoning Administrator | <input 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 type="checkbox"/>            | Water Utility            |
| <input type="checkbox"/>                      | Metro Transit        | <input type="checkbox"/>            | Other:                   |