



**Project Address:** 1301 Applegate Road (14<sup>th</sup> Aldermanic District – Ald. Carter)  
**Application Type:** Demolition Permit and Conditional Use  
**Legistar File ID #** [58671](#)  
**Prepared By:** Colin Punt, Planning Division  
Report includes comments from other City agencies, as noted.  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

**Summary**

**Applicant/Owner:** Bergstrom Corporation; One Neenah Center; Neenah, WI 54956  
**Contact:** Brian Beaulieu; Edge Consulting Engineers; 624 Water Street; Prairie du Sac, WI 53578  
**Requested Action:** Approval of a demolition permit to raze a car wash and construct an automobile body shop and car wash exceeding 25,000 square feet in the Commercial Corridor - Transitional (CC-T) zoning district.  
**Proposal Summary:** The applicant is seeking the approvals to demolish an existing car wash and construct an autobody shop with attached car wash at 1301 Applegate Road.  
**Applicable Regulations & Standards:** Section 28.185 M.G.O. provides the process for demolition and removal permits. Section 28.183 M.G.O. provides the process for conditional uses.  
**Review Required By:** Plan Commission  
**Summary Recommendations:** The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit raze the car wash and the conditional use to construct an autobody shop with attached car wash at 1301 Applegate Road subject to input at the public hearing and the conditions from reviewing agencies in this report.

**Background Information**

**Parcel Location:** The subject site is a 1.56-acre parcel located on the southeast side of Applegate Road, north of Applegate Court. It is within Aldermanic District 14 (Ald. Carter) the Madison Metropolitan School District.  
**Existing Conditions and Land Use:** 1301 Applegate Road is currently occupied by a car wash. Nearly all of the remainder of the parcel is paved and use for vehicle storage. The parcel has internal vehicle circulation with the parcels to the car dealerships to the north and south, which are under common ownership. The site is zoned CC-T (Commercial Corridor - Transitional District).  
**Surrounding Land Uses and Zoning:**  
North: Bergstrom Cadillac Hummer car dealership, parking, vehicle storage, and auto repair and servicing, zoned CC-T (Commercial Corridor - Transitional district);  
East: One- and two-story manufacturing buildings and parking, zoned IL (Industrial Limited district);  
South: Bergstrom Chevrolet car dealership, parking, vehicle storage, and auto repair and servicing, zoned CC-T; and

West: Across Applegate Road, the Beltline on- and off-ramp for Fish Hatchery Road.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends Industrial land uses for the site. The site is not within any other planning areas.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	71,204
Lot Width	None	215 ft
Front Yard Setback	None	45 ft
Max. Front Yard Setback	70% of building at 65 ft	45 ft
Side Yard Setback	None	8 ft
Rear Yard Setback	20 ft	28 ft
Maximum Lot Coverage	85%	85%
Maximum Building Height	5 stories/68 ft	1 story/23 ft

Site Design	Required	Proposed
Number Parking Stalls	No min, 1 per 1,000 sq ft + 2 per service bay max = 50	35
Accessible Stalls	2	2
Loading	2	2
Number Bike Parking Stalls	1 per 5 employees = 4	4
Landscaping	Yes	Yes
Lighting	Yes	Yes
Building Forms	Yes	Free-Standing Commercial

<b>Other Critical Zoning Items</b>	none
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*Table prepared by Jacob Moskowitz, Assistant Zoning Administrator*

**Environmental Corridor Status:** The site is not within a mapped environmental corridor.

**Public Utilities and Services:** The site is served by a full range of urban services.

## Project Description

The applicant is seeking a demolition permit to raze a car wash at 1301 Applegate Road in order to construct a new auto body shop with an attached car wash to serve the adjacent automobile dealerships. The existing structure is a concrete and metal 3,350-square foot one-story car wash built in 1983. [Photos](#) provided by the applicant and the application materials do not indicate specific deficiencies with the structure, and staff have not physically inspected the property. Nearly all of the rest of the parcel is paved with asphalt and used as a vehicle inventory storage lot.

The proposed new building, which includes space for autobody repair and a new car wash, is one story and approximately 26,200 square feet. The customer entrance faces Applegate Road to the west and the employee entrance is to the north. Two vehicle entrances for the autobody shop are to the south, facing west, with exits facing east. Another vehicle entrance/exit to the service bay is located on the east (rear) elevation. The attached car wash is also on the south end of the building, with the entrance facing west and exit facing east. The single-story building is nearly 25 feet tall to accommodate vehicle service within. Primary facade materials are white

and gray metal panels, white painted split-face concrete masonry units, and precast concrete wall panels. White and gray wall coping, steel doors, overhead doors, and aluminum storefront systems are also proposed.

In addition to removing the existing car wash building, the applicant proposes to remove the existing pavement and regrade the site to improve detention and create bioretention basins at the southwest and northwest corners of the parcel. Low-height landscaping is proposed around the building and in parking islands/peninsulas. Additional landscaping and tree plantings are proposed along the front of the site between the sidewalk and parking and vehicle access aisles. Existing site lighting is proposed to be replaced with new fixtures. New sidewalk will be added along the Applegate Road frontage to connect to the sidewalk in front of the Bergstrom Chevrolet dealership.

Parking is proposed around the perimeter of the lot, organized similar to the building entrances and uses: customer parking to the west, employee parking to the north, and service stalls to the south. A second access point to the Bergstrom Chevrolet dealership is also proposed, resulting in two access points to each Bergstrom dealership to the north and south.

If approved, the applicant plans to begin demolition in April 2019, with project completion by October 2020.

## Analysis & Conclusion

This request is subject to the standards for demolition permits and conditional uses. The proposed autobody shop and car wash are conditional uses in the CC-T district per MGO §28.067(2).

### Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Industrial land uses for the site. While the proposed use may not typically be referred to as “industrial,” the site supports the two existing large car dealerships to the north and south and is consistent with the surrounding development. The site is not within any other planning areas.

### Demolition and Removal Standards

In order to approve a demolition request, M.G.O §28.185(7) requires that the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section of the zoning code and the intent and purpose of the CC-T (Commercial Corridor - Transitional) Zoning District. Per MGO §28.067(1), the purpose of the CC-T district is “to recognize the many commercial corridors within the City that remain largely auto-oriented, and to encourage their transformation into mixed-use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity.” Among other things, the district is also intended to improve the quality of landscaping, site design and urban design along these corridors; and facilitate preservation development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

The demolition standards further state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. Furthermore, the proposal should be compatible with adopted plans. Finally, the demolition standards state that the Plan Commission shall consider the report of the City’s Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. At its December 9, 2019 meeting, the Landmarks Commission found that the

existing building at 1301 Applegate Road has no known historic value. Staff believes the standards for demolition permits can be met.

### **Conditional Use Standards**

The applicant is requesting conditional use approval for autobody repair, a car wash, and a building greater than 25,000 square feet. The applicant is also requesting a reduction in the number of required vehicle parking stalls. However, there are no minimum automobile parking requirements in the CC-T district per M.G.O. §28.141(3). 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.

Because of the use and scale of the proposal are both similar to the surrounding patterns of development, related and connected to the adjacent development, Staff believes all applicable conditional use approval standards can be found met.

### **Conclusion**

The Planning Division believes that the Plan Commission can find the standards for demolition permits and conditional uses met with the request to raze the existing building to construct a new autobody repair building with attached carwash exceeding 25,000 square feet. A time of report writing, Staff is unaware of any public comment regarding this request.

## **Recommendation**

### **Planning Division Recommendations** (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit raze the car wash and the conditional use to construct an autobody shop with attached car wash in a building exceeding 25,000 square feet at 1301 Applegate Road subject to input at the public hearing and the following conditions:

### **Recommended Conditions of Approval:** Major/Non-Standard Conditions are Shaded

### **Zoning Administrator** (Contact Jacob Moskowitz, 266-4560)

1. 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 facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade.
2. 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. Chain link is not allowed as screening.
3. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from

view from any street or residential district per Section 28.142(9)(d).

4. 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.

**City Engineering Division** (Contact Tim Troester, 267-1995)

5. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
6. Construct sidewalk along Applegate rd to a plan as approved by City Engineer
7. 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))
8. This development appears to have multiple existing laterals extended to the property line. In an effort to reduce inflow and contamination to the City's sanitary system our policy is to plug at the main laterals that are no longer active when associated with a new or redevelopment project. City Engineering will complete a TV inspection of the main to help clarify which laterals are active and which need to be plugged as a condition of approval for this application. The applicant is notified that as a condition of approval a sewer plug permit will be required for one or more laterals associated with this project that will no longer be used at its completion.
9. 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))
10. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
11. 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.
12. 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.

13. Revise the site plan 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)
14. 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.
15. 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, or Daniel Olivares (east) at 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>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. 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. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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.

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 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 & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window. TSS Control - a reduction of 80% compared to existing conditions or 60% off any new paved surfaces/

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.

17. 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.
18. 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).
19. The proposed storm sewer outlet discharge shall utilize the appropriate casting per the City of Madison Standard Specifications, Section 507. For a 6" curb head that would be Neenah Casting R-3262-2.
20. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance.

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

21. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or 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.

The amendment or replacement of the current access easement per Doc No. 5208068 shall be included along with cross access between all of the Cadillac parcels.

All of the adjacent Cadillac parcels shall be subject to this agreement. Full and complete legal descriptions of the encumbered parcels shall be provided within the document.

22. The proposed parcels within and adjacent to this development are dependent on each other for overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within and adjacent to this development shall be drafted, executed and recorded prior to building permit issuance.

All of the adjacent Cadillac parcels shall be subject to this agreement. Full and complete legal descriptions of the encumbered parcels shall be provided within the document.

23. Provide a full and complete legal description of the site or property being subjected to this application on the site plan and provide the property dimensions and any easements incumbering the site.

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

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; 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.

25. 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.
26. 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.
27. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
28. 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.
29. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
30. 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.
31. Parking stalls shall have a 3' minimum buffer from the public Right of Way to protect the sidewalk from encroachment from vehicle overhang.
32. "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.
33. 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.
34. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.



**Water Utility** (Contact Jeff Belshaw, 261-9835)

35. Site plan indicates the proposed water service material to be PVC, which is an unacceptable material in the ROW. Revise site plan to show a ductile iron water service.

36. 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.

37. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

**Forestry Division** (Contact Brad Hofmann, 267-4908)

38. 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 (608) 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction -

*The Planning Division, Parks Division, Fire Department, and Metro Transit have reviewed this request and have recommended no conditions of approval.*