



PREPARED FOR THE PLAN COMMISSION

- Project Address:** 1325 Applegate Road
- Application Type:** Demolition Permit and Conditional Use
- Legistar File ID#** 40405
- Requested Action:** The applicant requests approval of two demolition permits and a conditional use for an individual establishment exceeding 25,000 square feet of gross floor area.

**Proposal Summary:** The applicant proposes to demolish two commercial buildings to construct a one-story, approximately 38,000 square foot, auto sales facility. This facility will be located in the southeast corner of the site along Greenway Cross. The vast majority of the remainder of the site plan will contain an asphalt lot which will provide space for a total of 339 parking stalls - 274 of which are for vehicle inventory sales with the remainder being a mixture of employee and customer stalls. Three stormwater basins are proposed – one along Applegate Road, and one in each of the two eastern corners of the site. A variety of deciduous trees, evergreens, shrubs, and perennials are proposed throughout the site.

- Applicant:** John J Hogerty II; 1 Neenah Center Neenah, WI 54956
- Contact:** Brian Beaulieu; Edge Consulting Engineers, 624 Water St Prairie Du Sac, WI 53578
- Property Owner:** Bergstrom Cadillac; Hummer Inc, 1 Neenah Center 7th Floor, Neenah, WI 54956

**-Please See the PLANNING DIVISION STAFF REPORT for More Information on this Request -**

**Recommended Agency Comments and Conditions**

Major/Non-Standard Conditions are Shaded

**Planning Review (Contact Kevin Firchow, 608-267-1150)**

1. That the applicant shall revise the landscape plan to increase the frontage landscaping. The planting plan shall be revised and include revised plantings and updated plant schedule that provides additional plant massing. Final details shall be approved by staff and consistent with applicable ordinance standards.
2. That the site plan shall be modified to clearly label vehicle inventory areas vs. general parking areas.

**Engineering Review Main Office (Contact Timothy Troester, 608-267-1995)**

3. The elevations of the proposed storm design may be too low when connected to the existing public storm pipe. Applicant shall review the effect of a full public pipe with regards to backflow and flooding of the proposed private system.
4. 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)

5. 4.13 The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Division (storm/sanitary section). 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) Plat name and lot lines (metes & bounds parcel lines if unplatted)
  - g) Platted lot numbers (noted "unplatted lands" if not platted)
  - h) Lot/Plat property dimensions
  - i) Street names.All other levels (contours, elevations, etc) are not to be included with this file submittal. THE CAD FILE WILL ONLY BE REQUIRED PRIOR TO FINAL PLAN REVIEW SO THAT MULTIPLE FILES DO NOT NEED TO BE SUPPLIED OR REVIEWED. the project site address in the email subject line. Any changes or additions to the location of the building, private utilities, sidewalks, parking/pavement during construction will require a new CAD file transmittal.
6. 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used. POLICY AND MGO 10.29
7. 4.15 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 MGO 37.09(2))
8. 4.21 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](mailto:ttroester@cityofmadison.com), or Jeff Benedict at [jbenedict@cityofmadison.com](mailto:jbenedict@cityofmadison.com) final document and fee should be submitted to City Engineering.
9. 4.5 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.

10. 4.6 For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
11. 4.9c 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% off of the proposed development when compared with the existing site.
12. 4.9d 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.
13. 4.9e 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 onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.
14. 4.9g 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.
15. 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
16. 6.1 Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
17. 6.2 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))
18. 6.5 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)
19. 1.1 The construction of this project will require the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum. (MGO 16.23(9)c) Contact Tim Troester ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) to set up the required scheduling meeting to start the Developers Agreement process.
20. 3.2 The Applicant shall Construct Sidewalk to a plan approved by the City

21. 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
22. 3.10 The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer.. (MGO 16.23(9)(d)(6))
23. 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
24. 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
25. 3.16 All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
26. 3.19 All damage to the pavement on Applegate Rd & Greenway Cross, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
27. Existing public storm sewer may need to be relocated at the applicants expense if it is in conflict with the proposed private improvements. Alternately private improvements can be modified to avoid conflicts with the public storm sewer already located in easements through the properties.

**Traffic Engineering Review (Contact Eric Halvorson, 608-266-6527)**

28. 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.
29. 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.
30. 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.

31. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
32. Traffic Engineering will no longer be accepting paper plans; to ensure a timely review all submittals will include an electronic copy (.pdf preferred).

**Zoning Review (Contact Jenny Kirchgatter, 608-266-4429)**

33. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Mr. George Dreckmann (608-267-2626).
34. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185 (7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
35. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission approval.
36. The project proposes a connection with the property to the north (1301 Applegate Road) creating a planned multi-use site. Pursuant to 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.
37. Submit an overall site plan showing the entire planned multi-use site including the properties at 1217 and 1301 Applegate Road.
38. Submit a calculation and plan details for lot coverage with the final plan set. The lot coverage maximum is 85%. Lot coverage is defined per Section 28.211 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.
39. Clearly identify the types of parking areas on the site plan: vehicle inventory, employee and service stalls, and customer parking stalls.
40. Bicycle parking shall comply with City of Madison General Ordinances Table 28I-3 (General Regulations) and Section 28.141(11). A minimum of one (1) bicycle stall is required per five (5) employees. NOTE: A bike parking stall is two feet by six feet with a five-foot access area. Submit a detail showing the model of bike rack to be installed.
41. Per Section 28.142 (3), submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect. Landscaping must comply with Section 28.142(5) Development Frontage Landscaping and Section 28.142(6) Interior Parking Lot Landscaping. A planting island shall be located at least every twelve (12) contiguous stalls with no break.
42. Submit a detail of the trash enclosure area. Such area 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. Submit a rooftop plan with the final plan set showing any proposed rooftop mechanical equipment and screening. Per Sections 28.060(2)(f) and 28.142(9)(b), all rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district.
44. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting photometric plan and fixture cut sheets with the final plan submittal.
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.

**Fire Review (Contact William Sullivan, (608) 261-9658)**

46. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt Scott Bavery (608) 576-0600.
47. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

**Parks/Forestry Review (Contact Janet Schmidt, (608) 261-9688)**

48. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Brian Meiller – bmeiller@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
49. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>.
50. Please reference ID# 15155 when contacting Parks about this project.

**Water Utility Review (Contact )**

51. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

The Madison Water Utility shall be notified to remove the water meter prior to demolition.

**Metro Review (Contact Timothy Sobota, (608) 261-4289)**

52. The agency reviewed this request and has recommended no conditions or approval.

**City Eng. Review Mapping (Contact Jeffrey Quamme, (608) 266-4097)**

53. The address of the new Bergstrom building is 1345 Applegate Rd.

54. If permitted, a Consent to Occupy Easement document shall be drafted and recorded to define responsibilities and requirements in conjunction with the proposed Storm Water Basins, landscaping and parking lot improvements shown within a City of Madison Storm and Sanitary Sewer Easement per the plat of Commercial Center along the southeast side and corner of the site. A City of Madison Real Estate project will be required along with a \$500 for administrative fee to create the document, obtain required approval(s) and record with the Register of Deeds. Coordinate with and provide legal descriptions and map exhibits along with the \$500 for administrative fees to Jeff Quamme at jrquamme@cityofmadison.com or 1600 Emil Street, Madison, WI 53703 (Ph. 608-266-4097).
55. 6.9 Any portion(s) of Utility Easements within this site are to be released, shall be released by separate document prepared by City Office of Real Estate Services. Applicant must prepare metes and bounds legal descriptions and scale map exhibits for the portions to be released and provide to Engineering Land Records Coordinator Jeff Quamme for review (608-266-4097) (jrquamme@cityofmadison.com). Upon approval of the exhibits and payment of the required \$500 administration fee (check payable to City of Madison Treasurer) to cover staff time and recording costs, Engineering will create the necessary Office of Real Estate Services (ORES) Project. ORES staff will then administer the release document(s) and record with the Dane County Register of Deeds. All releases are required to be completed prior to recording of the pending CSM, acknowledgement of the release and document number shall be noted on the face of the CSM.
56. 1.13 The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
57. 1.5 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.
58. The Proposed Cross Easement Agreement with the site to the north shall be submitted for review and recorded and referenced on the pending Certified Survey Map.