

# Dane County Rezone & Conditional Use Permit

<b>Application Date</b>	<b>Petition Number</b>
04/20/2016	DCPREZ-2016-10995
<b>Public Hearing Date</b>	<b>C.U.P. Number</b>
06/28/2016	

OWNER INFORMATION	AGENT INFORMATION
-------------------	-------------------

OWNER NAME THE FOWLER COMPANY LLC	PHONE (with Area Code) (608) 220-6238	AGENT NAME AXLEY BRYNELSON, LLP	PHONE (with Area Code) (608) 283-6762
BILLING ADDRESS (Number & Street) PO BOX 5326		ADDRESS (Number & Street) P.O. BOX 1767	
(City, State, Zip) MADISON, WI 53705		(City, State, Zip) MADISON, WI 53701-1767	
E-MAIL ADDRESS NH@OPITZREALTY.COM		E-MAIL ADDRESS RPROCTER@AXLEY.COM	


ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
--------------------	--------------------	--------------------

ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
4008 MILWAUKEE STREET		4008 MILWAUKEE STREET			
TOWNSHIP BLOOMING GROVE	SECTION 4	TOWNSHIP BLOOMING GROVE	SECTION 4	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0710-041-4022-2		0710-041-4044-6			

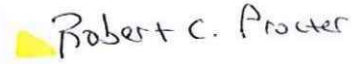
REASON FOR REZONE	CUP DESCRIPTION
-------------------	-----------------

CHANGE USE TO CAR REPAIR SERVICES.	
------------------------------------	--

FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
C-1 Commercial District	C-2 Commercial District	1.16		

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials_____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials_____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials_____	INSPECTOR'S INITIALS  PMK2	SIGNATURE:(Owner or Agent) 
-------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------	----------------------------------	---------------------------------------------------------------------------------------------------------------------

COMMENTS: CHANGE USE TO CAR REPAIR SERVICES.

PRINT NAME: 
DATE: 4-20-2016

Legal Description

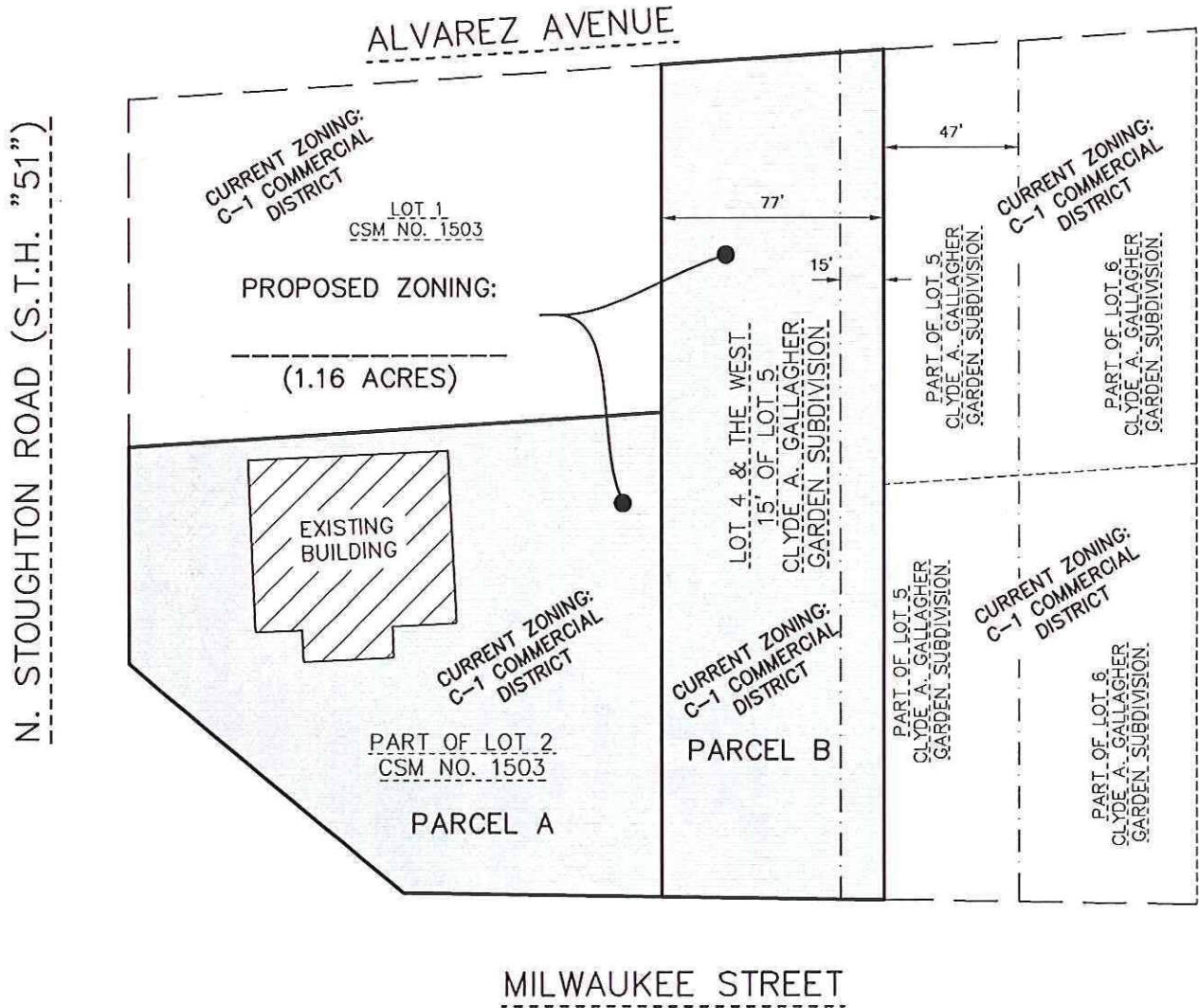
PARCEL A

Lot 2, CSM No. 1503, recorded in Vol. 6 of Certified Survey Maps, Page 213, Doc. No. 1407513, Town of Blooming Grove. Excepting parts conveyed for highway purposes in Doc. No. 1176152 & Doc. No. 1485011.

PARCEL B

Lots 4 and 5, except the Easterly 47 feet thereof, Block 1, Clyde A. Gallagher Garden Subdivision, Town of Blooming Grove. Excepting parts conveyed for highway purposes in Doc. No. 1183574 & Doc. No. 1485011.

# ZONING EXHIBIT



MILWAUKEE STREET

## LEGAL DESCRIPTION

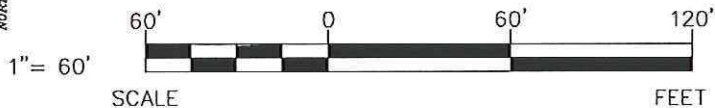
### PARCEL A

LOT 2, CSM NO. 1503, RECORDED IN VOL. 6 OF CERTIFIED SURVEY MAPS, PAGE 213, DOC. NO. 1407513, TOWN OF BLOOMING GROVE. EXCEPTING PARTS CONVEYED FOR HIGHWAY PURPOSES IN DOC. NO. 1176152 & DOC. NO. 1485011.

### PARCEL B

LOTS 4 AND 5, EXCEPT THE EASTERLY 47 FEET THEREOF, BLOCK 1, CLYDE A. GALLAGHER GARDEN SUBDIVISION, TOWN OF BLOOMING GROVE. EXCEPTING PARTS CONVEYED FOR HIGHWAY PURPOSES IN DOC. NO. 1183574 & DOC. NO. 1485011.

DATE: APRIL 19, 2016





**EXCEL**  
ENGINEERING Inc.  
**SURVEYING GROUP**  
PROJECT NO. 1608710

Always a Better Plan  
100 CAMELOT DRIVE  
FOND DU LAC, WI 54935  
PHONE: (920) 926-9800  
FAX: (920) 926-9801



SHEET INDEX

C1.0 SITE PLAN

PROJECT INFORMATION

APPLICABLE BUILDING CODE  
2009 INTERNATIONAL BUILDING CODE (WITH WISCONSIN AMENDMENTS)  
ASHRAE STANDARD 90.1-2007

BUILDING CONTENT

BUILDING & FIRE AREA SQUARE FOOTAGES

FLOOR AREAS	EXISTING	NEW	SUB-TOTAL
SECOND FLOOR	---	---	---
FIRST FLOOR	---	7,048 S.F.	---
CANOPIES (COLUMN SUPPORTED)	---	---	---
BASEMENT	---	---	---
BUILDING AREA SUB-TOTALS	---	7,048 S.F.	---
MEZZANINES	---	---	---
FIRE AREA TOTALS	---	7,048 S.F.	---

HIGH PILE STORAGE YES/NO  
FIRE ALARM SYSTEM YES/NO

OCCUPANCY  
7-7  
NON SEPARATED

CONSTRUCTION CLASSIFICATION

TYPE 7B CONSTRUCTION  
SPRINKLED YES/NO  
FIREWALL YES/NO

ALLOWABLE AREA

TABULAR FLOOR AREA: XXX,XXX S.F.  
FRONTAGE INCREASE: XXX,XXX S.F.  
SPRINKLER INCREASE: XXX,XXX S.F.  
TOTAL ALLOWABLE AREA: XXX,XXX S.F.  
ALLOWABLE FIRE AREA: XX,XXX S.F.

BUILDING/SITE CONTENT

BUILDING SIZE 7,048 S.F. 15.2%  
HARD SURFACE 26,423 S.F. 56.0%  
GREEN SPACE 12,994 S.F. 27.8%  
PARCEL SIZE (APPROX.) 46,467 S.F. 1.07 ACRES  
PARKING PROVIDED 44 STALLS (1 STALL/160.2 S.F.)  
BUILDING HEIGHT 25'-4"

ZONING INFORMATION

ZONING: C1 (& SURROUNDING AREA)  
FRONT YARD SETBACK: 30'-0" OR 42'-0" ON CORNER  
SIDE YARD SETBACK: 10'-0"  
RCAR YARD SETBACK: 10'-0"



CONCEPTUAL SITE PLAN

THE LOT DIMENSIONS AND BEARINGS SHOWN ON THIS PLAN ARE INTERPRETED VALUES. FOLLOW UP INVESTIGATION WITH STATE AND LOCAL AUTHORITIES AND/OR WITH CERTIFIED SURVEY MAP DATA WHEN AVAILABLE IS REQUIRED.

PROPOSED FOR:

# MEINEKE CAR CARE CENTER

TOWN OF BLOOMING GROVE,

WISCONSIN



**Keller**

PLANNERS | ARCHITECTS | BUILDERS

HEAD OFFICE  
1711 South Main Street  
Bloomington, WI 54910  
PHONE: (920) 764-4400  
FAX: (920) 764-4401

HEADQUARTERS  
1111 East Wisconsin Avenue  
Milwaukee, WI 53212  
PHONE: (414) 381-1111  
FAX: (414) 381-1111

www.kellerwi.com

PROPOSED FOR:  
**MEINEKE CAR CARE CENTER**  
TOWN OF BLOOMING GROVE, WISCONSIN

"COPYRIGHT NOTICE"  
This design, drawing and detail is the intellectual property of KELLER, INC. and shall remain the property of KELLER, INC. without limitation of rights, title, or interest, and shall not be used, reproduced, distributed, or otherwise disclosed without the expressed written consent of KELLER, INC.

REVISIONS


PROJECT MANAGER: B. POOH  
DESIGNER: S. KLESSIG  
DRAWN BY: ACM  
EXPECITOR: \_\_\_\_\_  
SUPERVISOR: \_\_\_\_\_  
PRELIMINARY NO: P16131  
CONTRACT NO: \_\_\_\_\_  
DATE: 04.04.2016  
SHEET: C1.0

PRELIMINARY - NOT FOR CONSTRUCTION

## Robert C. Procter

---

**From:** Parks, Timothy <TParks@cityofmadison.com>  
**Sent:** Friday, April 08, 2016 10:52 AM  
**To:** Robert C. Procter  
**Cc:** Roll, Ricky  
**Subject:** RE: 4008 Milwaukee Street / Town of Blooming Grove

Robert,

I agree with your message from April 5 below. The Meineke proposal does not qualify as "development" based on your description of the project and we could not attach you even if you wanted us to because you are in a protected area.

Best regards,  
TIM

Timothy M. Parks  
Planner  
Department of Planning & Community & Economic Development Planning Division Madison Municipal Building, Suite LL-100  
215 Martin Luther King, Jr. Blvd.  
Madison, Wisconsin 53701-2985  
[tparks@cityofmadison.com](mailto:tparks@cityofmadison.com)  
T: 608.261.9632

-----Original Message-----

**From:** Robert C. Procter [<mailto:RProcter@axley.com>]  
**Sent:** Tuesday, April 05, 2016 5:55 PM  
**To:** Parks, Timothy; [rroll@citymadison.com](mailto:rroll@citymadison.com)  
**Subject:** RE: 4008 Milwaukee Street / Town of Blooming Grove

Hi Tim,

Just following up on this property. Accordingly to the Blooming Grove and Madison Cooperative Plan, "[a]ny development in the Town shall be subject to approval by the City in accordance with the City Development requirements." See Section 11, B(1) - page 14.

Section 6.A (page 7) states that: "'Develop' or 'development' refers to division of land, or construction of more than one principal structure on a parcel of land, or rezoning a parcel from residential or agricultural classification to a non-residential classification."

It is my client's plan to demolish the existing building, and build a new building. The property would be rezoned from C1 to C2. Based on the Cooperative Plan definition of development, I don't believe the City approval is necessary, but it is 139 pages so I am not sure if I missed something.

We are getting ready to file the application with Dane County. Please let me know.

Thanks.



Robert

-----Original Message-----

From: Robert C. Procter

Sent: Monday, April 04, 2016 12:03 PM

To: Parks, Timothy ([TParks@cityofmadison.com](mailto:TParks@cityofmadison.com))

Subject: FW: 4008 Milwaukee Street / Town of Blooming Grove

Hi Tim,

I have a client that is looking to purchase the property located at 4008 Milwaukee Street. It was a Country Kitchen. It is located next to the Highway 51 that goes over Milwaukee Street, a McDonalds and Quick Trip. The intent to is build an approximately 7,000 square foot car care center that looks like the attached.

The current County zoning is C1. It would have to be rezoned to C2. We would likely ask for C2 zoning, but deed restrict it to allow for car repair, C1 and then prohibit most of the remaining C2 uses.

I am told that this property is subject to the border agreement and will be annexed into the City in 2023 (not sure about that date).

Can you tell me the procedures we need to follow for the City?

Thanks.

Robert

Attorney Robert C. Procter

Axley Brynelson, LLP

d: 608.283.6762 | c: 608.692.8270

[RProcter@axley.com](mailto:RProcter@axley.com)

2 E. Mifflin St., Ste 200 • Madison, WI 53703 • P.O. Box 1767 • 53701-1767 • Fax: 608.257.5444

Unless otherwise indicated or obvious from the nature of this transmittal, the information in this transmission is confidential and protected from disclosure by the attorney-client privilege, attorney work-product doctrine, privacy laws, or by its proprietary nature. This transmission is intended for the exclusive use of the named recipient. If you are not the named recipient or responsible to deliver it to the named recipient, you are notified that any use, copying, disclosure, dissemination, or other distribution of the information is strictly prohibited and you may be subject to legal restrictions or sanctions. If you have received this communication in error or are not sure whether it is confidential, please immediately notify us by return email or telephone at (608) 257-5661 and destroy all copies. To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.



DANE COUNTY  
**PLANNING & DEVELOPMENT**

Zoning Division  
Room 116, City-County Building  
210 Martin Luther King Jr. Blvd.  
Madison, Wisconsin 53703-3342  
Phone: (608) 266-4266  
Fax: (608) 267-1540

**Zoning Change Application**

Items that must be submitted with your application:

- **Written Legal Description of the proposed Zoning Boundaries**  
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- **Scaled Drawing of the location of the proposed Zoning Boundaries**  
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name	<u>The Fowler Company, LLC (c/o Neil Halleen)</u>	Agent's Name	<u>Robert C. Procter, Axley Brynelson, LLP</u>
Address	<u>P.O. Box 5326</u> <u>Madison, WI 53706</u>	Address	<u>P.O. Box 1767</u> <u>Madison, WI 53701-1767</u>
Phone	<u>(608) 220-6238</u>	Phone	<u>(608) 283-6762</u>
Email	<u>nh@opitzrealty.com</u>	Email	<u>rprocter@axley.com</u>

Town: Blooming Grove Parcel numbers affected: 008/0710-041-4044-6 and 008/0710-041-4022-2

Section: 04 Property address or location: 4008 Milwaukee Street

Zoning District change: (To / From / # of acres) TO C-2 FROM C-1 / 1.16 ACRES

Soil classifications of area (percentages) Class I soils:     % Class II soils:     % Other:     %

Narrative: (reason for change, intended land use, size of farm, time schedule)

- Separation of buildings from farmland
- Creation of a residential lot
- Compliance for existing structures and/or land uses
- Other:

The buyer of the property intends to demolish the existing building (formerly a Country Kitchen restaurant), and construct a 7,048 square foot Meineke Car Care Center that provides standard car repair services such as break replacement, oil changes, muffler replacement etc. The buyer owns and operates five such facilities, and intends to move its existing facility on Stoughton Road to this location. The requested zoning change is necessary to allow for the proposed use. Since there are two parcels, owner will combine the parcels by deed restriction as part of the rezone.

I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: Robert C Procter

Date: 04/20/2016



## Parcel Number - 008/0710-041-4022-2

Current

[← Parcel Parents](#)[Summary Report](#)

Parcel Detail		Less →
Municipality Name	TOWN OF BLOOMING GROVE	
State Municipality Code	008	
<b>Township &amp; Range</b>	<b>Section</b>	<b>Quarter/Quarter &amp; Quarter</b>
T07NR10E	04	SW of the NE
Plat Name	CSM 01503	
Block/Building	1	
Lot/Unit	2	
Parcel Description	LOT 2 CSM 1503 CS6/213 F/K/A CLYDE A GALLAGHER GARDEN SUBD PRT LOTS 1 ,2 & 3 DESCR AS SEC 4-7-10 PRT SW1/4NE1/4 EXC M456/449, R720/52 EXC TO CITY OF MADISON IN R18054/12 (STREET) <b>This property description is for tax purposes. It may be abbreviated. For the complete legal description please refer to the deed.</b>	
Current Owner	THE FOWLER COMPANY LLC 	
Primary Address	4008 MILWAUKEE ST	
Billing Address	PO BOX 5326 MADISON WI 53705	



Assessment Summary		More +
Assessment Year	2016	
Valuation Classification	G2	
Assessment Acres	0.630	
Land Value	\$138,100.00	
Improved Value	\$338,200.00	
Total Value	\$476,300.00	

Show Valuation Breakout

### Zoning Information

For the most current and complete zoning information, contact the Division of Zoning.

### Zoning

C-1 DCPREZ-0000-01156

Zoning District Fact Sheets

### Parcel Maps



DCiMap

Google Map

Bing Map

**Tax Summary (2015)****More +**[E-Statement](#)[E-Bill](#)[E-Receipt](#)

Assessed Land Value	Assessed Improvement Value	Total Assessed Value
\$138,100.00	\$338,200.00	\$476,300.00
<b>Taxes:</b>		\$8,564.95
<b>Lottery Credit(-):</b>		\$0.00
<b>First Dollar Credit(-):</b>		\$78.53
<b>Specials(+):</b>		\$2,232.12
<b>Amount:</b>		\$10,718.54

**District Information**

Type	State Code	Description
REGULAR SCHOOL	3269	MADISON METRO SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE
OTHER DISTRICT	MADF	CITY OF MADISON FIRE DIST
METRO SEWERAGE	5150	MADISON METRO SEWER DIST
OTHER DISTRICT	MADE	CITY OF MADISON EMS
OTHER DISTRICT	0410	SEWER 10

Recorded Documents				
Doc. Type	Date Recorded	Doc. Number	Volume	Page
QCD	12/26/2003	3856456		

Show More ▼

## DocLink

DocLink is a feature that connects this property to recorded documents. If you'd like to use DocLink, all you need to do is select a link in this section. There is a fee that will require either a credit card or user account. Click here for instructions.

By Parcel Number: 0710-041-4022-2

By Owner Name: THE FOWLER COMPANY LLC

[Document Types and their Abbreviations](#)

[Document Types and their Definitions](#)



Access Dane is a product of  
Dane County Land Information Council

© Copyright 2001

210 Martin Luther King Jr. Blvd

City-County Bldg. Room 116

Madison, WI 53703




[Home](#) | [Disclaimer](#) | [Privacy](#) | [Resources](#) | [Contact Us](#)



## Parcel Number - 008/0710-041-4044-6

Current

[← Parcel Parents](#)[Summary Report](#)

Parcel Detail		Less —
Municipality Name	TOWN OF BLOOMING GROVE	
State Municipality Code	008	
<b>Township &amp; Range</b>	<b>Section</b>	<b>Quarter/Quarter &amp; Quarter</b>
T07NR10E	04	SW of the NE
Plat Name	GALLAGHER, CLYDE A GARDEN SUBDIVISION	
Block/Building	1	
Lot/Unit	4	
Restrictive Covenants	Show Restrictions for this Plat, CSM, or Quarter	
Parcel Description	CLYDE A GALLAGHER GARDEN SUBD BLOCK 1 LOT 4 & LOT 5 EXC ELY 47 FT THF & EXC D833/287, R720/52 EXC TO CITY OF MADISON IN R18054/12 (STREET) <b>This property description is for tax purposes. It may be abbreviated. For the complete legal description please refer to the deed.</b>	
Current Owner	THE FOWLER COMPANY LLC 	
Primary Address	<b>No parcel address available.</b>	
Billing Address	PO BOX 5326 MADISON WI 53705	

Assessment Summary		More +
Assessment Year	2016	
Valuation Classification	G2	
Assessment Acres	0.530	
Land Value	\$126,400.00	
Improved Value	\$0.00	
Total Value	\$126,400.00	

Show Valuation Breakout

### Zoning Information

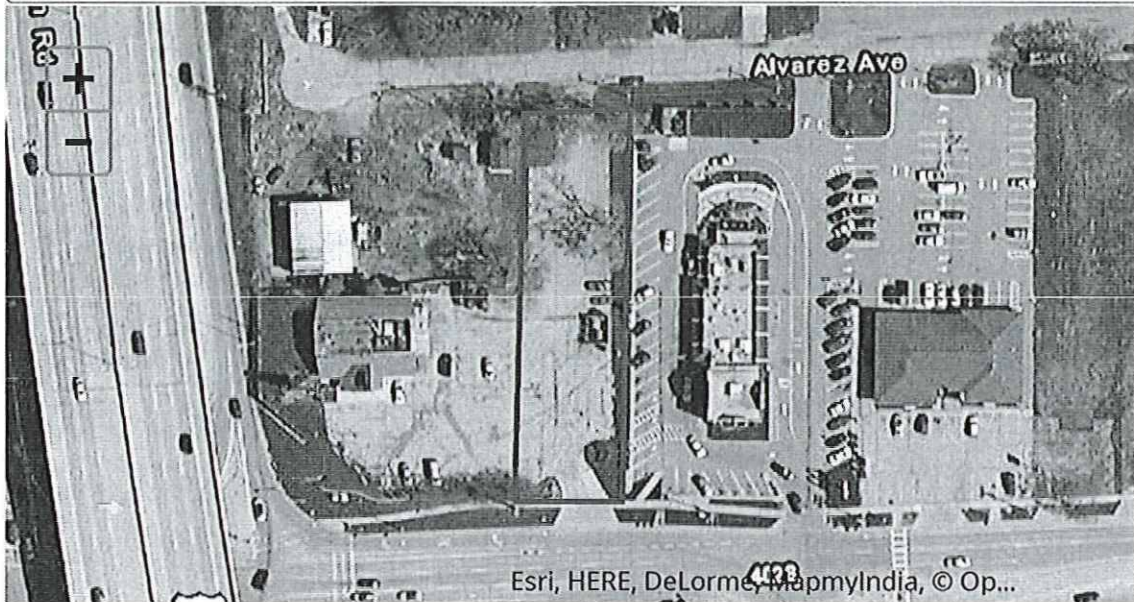
For the most current and complete zoning information, contact the Division of Zoning.

### Zoning

C-1 DCPREZ-0000-01156

Zoning District Fact Sheets

### Parcel Maps



DCiMap

## Tax Summary (2015)

More +

E-Statement

E-Bill

E-Receipt

Assessed Land Value	Assessed Improvement Value	Total Assessed Value
\$126,400.00	\$0.00	\$126,400.00
<b>Taxes:</b>		\$2,272.96
<b>Lottery Credit(-):</b>		\$0.00
<b>First Dollar Credit(-):</b>		\$0.00
<b>Specials(+):</b>		\$21.56
<b>Amount:</b>		\$2,294.52

## District Information

Type	State Code	Description
REGULAR SCHOOL	3269	MADISON METRO SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE
METRO SEWERAGE	5150	MADISON METRO SEWER DIST
OTHER DISTRICT	MADF	CITY OF MADISON FIRE DIST
OTHER DISTRICT	MADE	CITY OF MADISON EMS
OTHER DISTRICT	0410	SEWER 10



Recorded Documents				
Doc. Type	Date Recorded	Doc. Number	Volume	Page
QCD	12/26/2003	3856456		

Show More ▼

## DocLink

DocLink is a feature that connects this property to recorded documents. If you'd like to use DocLink, all you need to do is select a link in this section. There is a fee that will require either a credit card or user account. Click here for instructions.

By Parcel Number: 0710-041-4044-6

By Owner Name: THE FOWLER COMPANY LLC

[Document Types and their Abbreviations](#)

[Document Types and their Definitions](#)



Access Dane is a product of  
Dane County Land Information Council

© Copyright 2001

210 Martin Luther King Jr. Blvd

City-County Bldg. Room 116

Madison, WI 53703



[Home](#) | [Disclaimer](#) | [Privacy](#) | [Resources](#) | [Contact Us](#)



Bruns Ave

N Stoughton Rd

4001 4109 4111 4113 4115 4137-4123 4155-416

*Not Effective*  
C-1 DCPREZ-0000-01156

R-3A  
DCPREZ-0000-09181

*Not Effective*  
CUP 719

R-3  
DCPREZ-0000-01156

R-4  
DCPREZ-0000-02601

*Not Effective*  
CUP 576

4102-4130

Boundary agreement this area goes to  
City of Madison

Alvarez Ave

4005 4009 4021 4101

Zone X

N Stoughton Rd

55025S0427H

C-1  
DCPREZ-0000-01156

C-1  
DCPREZ-0000-03354

*Not Effective*  
CUP 444

*Not Effective*  
CUP 1401

CUP  
2233  
DRIVE-IN ESTABLISHMENTS

4008

4020

4024

4104

Milwaukee St

S Stoughton Rd

S Stoughton Rd Service Rd

Dempsey Rd

S Stoughton Rd

Belmont Rd



Bruns Ave

N Stoughton Rd



Alvarez Ave

Zone X



55025C0427H

N Stoughton Rd

Milwaukee St

S Stoughton Rd

S Stoughton Rd/Service Rd

S Stoughton Rd

Dempsey Rd

Belmont Rd