



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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February 22, 2011

J. Randy Bruce  
Knothe & Bruce Architects, LLC  
7601 University Avenue, Suite 201  
Middleton, Wisconsin 53562

RE: Approval of a conditional use for a planned residential development to allow construction of 38 apartment units and 14 single-room occupancy units in two buildings located at 4002 Nakoosa Trail; and approval of a parking reduction for the project (Porchlight, Inc.).

Dear Mr. Bruce;

At its February 21, 2011 meeting, the Plan Commission found the standards met and **approved** your conditional use application to allow construction of a planned residential development at 4002 Nakoosa Trail, subject to the conditions below. In order to receive final approval of the conditional use and for building permits for to be issued for your project, the conditions that follow below shall be met.

**Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty (20) items:**

1. In accordance with 10.34 MGO–Street Numbers: Submit a PDF of each floor plan to Lori Zenchenko in the Engineering Mapping Section ([addressing@cityofmadison.com](mailto:addressing@cityofmadison.com)) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
2. The site plan submitted for final approval shall contain property line dimensions representing the resultant property configuration following the pending overlap quit claim remedy (RE Project 9441), final Water Utility sale to Porchlight (RE Project 8989), and the ultimate final one-lot Certified Survey Map.
3. The applicant shall install sidewalk along Nakoosa Trail to the crosswalk on Commercial Avenue, as shown on the plans. The applicant shall provide a sidewalk plan, stamped by a professional engineer.
4. The proposed development connects to Madison Metropolitan Sewerage District (MMSD) sewer. The applicant shall provide evidence that MMSD and the Capital Area Regional Plan Commission have reviewed the plan and provide copies of approvals and/or permits to the City. MMSD shall require that connection of the sewer service lateral be made to a manhole. Please contact MMSD for their standard detail drawing for direct connection to a manhole.

5. A direct connection permit shall be obtained from MMSD for the sewer service lateral. All permit fees shall be paid and the permit approved a minimum of three days prior to making the connection. Please contact John Podebradsky at MMSD to coordinate construction inspection at 516-5862 or [Johnp@madsewer.org](mailto:Johnp@madsewer.org).
6. **[As amended by the Plan Commission]** MMSD has indicated that they are concerned with the proximity of the building footprint of Building 1 to their existing sanitary sewer facilities. MMSD would prefer that the building be shifted to the north. If this is not possible, MMSD shall require additional information on how their existing sewerage facilities (including MH10-412) will be protected during building construction. **The City Engineer shall review the final development plans to protect the adjacent sanitary sewers.**
7. MMSD has indicated that they have a 54-inch sanitary sewer main (2010 construction) north of the 48-inch sanitary sewer main. Revise plans to show 54-inch sanitary main and MH10-412 on plans.
8. The proposed storm sewer that connects the two detention ponds is too close to MMSD MH10-412. Provide information regarding the size, elevation, and pipe material for the storm sewer. The storm sewer must be relocated to the north to maintain a minimum horizontal distance of five feet from MH10-412, measured from the lower section of the manhole to the centerline of the storm sewer.
9. The applicant shall install public sidewalk along Nakoosa Trail. The applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
10. A City-licensed contractor shall perform all work in the public right of way.
11. All damage to the pavement on Nakoosa Trail adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria.
12. The applicant shall demonstrate compliance with MGO Sections 37.07 and 37.08 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 7.5-tons per acre per year.
13. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites, with over one acre of disturbance for stormwater management and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR-216 and NR-151, but a separate permit submittal is now required from the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the DNR, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Please contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement.

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: detain the 2 & 10-year storm events; control 80% TSS (5 micron particle) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of the Madison General Ordinances, and; 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. The applicant shall submit, prior to plan signoff, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas lot lines; lot/ plat lines, dimensions and labels; right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
16. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
17. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; 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.
18. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
19. 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.
20. City of Madison Environmental Project Staff is not aware of any land dedications required for this project. As a result, a Phase 1 Environmental Site Assessment (ESA) will not be required of the applicant. If right of way is dedicated as a result of the project, the applicant shall notify Brynn Bemis (267-1986) to determine if a Phase I ESA will be required.

**Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following eight (8) items:**

21. The applicant shall contact the Planning Division regarding compliance with MGO Sec. 16.23(3)(d)– Highway Noise Land Use Provisions policies and ordinances.
22. The applicant shall be responsible for securing all proper permits and approvals from any municipality or government unit having jurisdiction with the project. In particular, the applicant shall

provide David Kreitzmann, Wisconsin Department of Transportation (516-6497) with site plans sets for review and approval. The applicant shall return a set of WisDOT-approved site plans or a letter to the City Traffic Engineering Division.

23. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: existing items in the terrace (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, adjacent, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1" = 20'.
24. **As amended by the Plan Commission, the parking facility shall be modified to provide for adequate internal circulation for vehicles and maintain 18 parking spaces.**
25. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
26. The applicant shall show dimensions for the proposed and existing parking stalls' items A, B, C, D, E, F, and degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in MGO Sec. 10.08(6)(b)2. Signs and planting areas are to be excluded from the rectangular stall areas including the 2 feet of vehicle overhang. The 2 feet of vehicle overhang shall be shown on the plan and dimensioned.
27. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
28. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following six (6) items:**

29. Parking requirements for persons with disabilities must comply with MGO Section 28.11(3)6.(m) which includes all applicable State accessible requirements, including but not limited to:
  - a.) Provide a minimum of 1 accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
  - b.) Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
  - c.) Show the accessible path from the stalls to the buildings. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
30. Lighting is required and shall be provided in accordance with City of Madison outdoor lighting standards, section 10.085. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The maximum light trespass shall be 0.5 footcandles at 10 feet from the adjacent lot line.
31. **Note: A parking stall reduction was granted to allow 18 stalls to serve this development.**
32. Provide one 10-foot by 35-foot loading area with 14 feet of vertical clearance. **The Plan Commission granted a waiver to allow the loading area to be located in the drive aisle.**

33. Bike parking shall comply with MGO Section 28.11: Work with Zoning staff to increase the number of on-site bicycle parking stalls, and review bicycle parking reduction allowances in the Zoning Ordinance before final bicycle parking provision is approved.
34. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Section 31 and approved by the Urban Design Commission or staff. Sign permits must be issued by the Zoning Section of the Department of Planning and Community & Economic Development prior to sign installation.

**Please contact Kay Rutledge, Parks Division, at 266-4714 if you have any questions regarding the following item:**

35. The developer shall pay approximately \$56,363.84 for park dedication and development fees for 52 efficiency/single-room occupancy units. (Fees in lieu of dedication=\$40,404.00 (52 @ \$777); Park development fees=\$15,959.84 (52 @ \$306.92). The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Reindahl Park impact fee district (SI22).

**Please contact my office at 261-9632 if you have questions about the following three (3) items:**

36. That the site plans for the project be revised per Planning Division approval prior to final signoff and issuance of building permits as follows:
  - a.) include additional landscaping and screening along the western edge of the subject site;
  - b.) revise the floorplans to accurately reflect the proposed number of efficiency units noted in the letter of intent.
37. That a note be added to the final plans acknowledging the presence of existing and future high levels of noise and vibration resulting from adjacent N. Stoughton Road/ US Highway 51. This provision shall also be added to the leases for all residential units proposed, with a copy of the lease to be provided for the file.
38. That the residential units proposed along the western wall of the western building be designed with sufficient soundproofing measures to insure that highway-generated noise from N. Stoughton Road/ US Highway 51 not exceed 52 decibels on the interior of those units.

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

**The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.**

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

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.

2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks  
 Planner

cc: Janet Dailey, City Engineering Division  
 John Leach, Traffic Engineering Division  
 Pat Anderson, Asst. Zoning Administrator  
 Kay Rutledge, Parks Division  
 Bill Sullivan, Madison Fire Department

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

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

\_\_\_\_\_  
*Signature of Property Owner (If Not Applicant)*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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 checked="" 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"/>	Other: