



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

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

December 13, 2016

William A Simpson  
ADCI  
5100 Eastpark Boulevard, #310  
Madison, WI 53718

RE: Approval of a Demolition Permit and Conditional Use for the construction of a three-story skilled nursing and assisted living facility located at **4325 Nakoma Rd.**

Dear Mr. Simpson:

At its December 12, 2016 meeting, the Plan Commission **approved** your request for a Demolition Permit and Conditional Use for the construction of a three-story skilled nursing and assisted living facility located at 4325 Nakoma Rd. In order to receive final approval of the Demolition Permit and Conditional Use and for any necessary permits to be issued, the following conditions must be met:

**Please contact my office at 267-8733 if you have questions regarding the following eight items:**

1. The Applicant shall continue to work with Planning and Urban Design staff to refine the building design to maintain a consistent building rhythm on all four sides of the building. Consideration should be given to further pronouncing the existing building module located mid-building along the street façade. Design considerations including decreasing the stone base and increasing the window size. A similar typology and treatment should be carried throughout the building on all four sides creating consistency in the overall building rhythm and articulation. Final details shall be approved by Planning Division staff.
2. The Applicant shall continue to work with Planning and Urban Design staff to refine the building design to create a more effective entry treatment, such as a functional door that addresses the street, enhanced landscaping, furnishing or other pedestrian amenities.
3. The Applicant shall continue to work with Planning and Urban Design staff to refine the window design, placement and level of detail to be consistent throughout, including minimizing blank walls, separating windows from other architectural detailing and utilizing a consistent window style. Final details shall be approved by Planning Division staff.
4. The Applicant shall continue to work with Planning and Urban Design staff to refine the building design to create a more effective entry treatment, such as a functional door that addresses the street, enhanced landscaping, furnishing or other pedestrian amenities.

5. The Applicant shall revise Sheet AS.1 to include building setback dimensions and the dimensions of the areas designated as open space.
6. As indicated on Sheet AS.1, a total of 1,354 square feet of open space is provided in the form of balconies and "OFF Public Spaces." In order to confirm that the open space requirements are met, the Applicant shall provide an open space diagram indicating those areas being counted as open space, including those internal to the building. Please note that pursuant to Section 28.151, MGO, a total of 150 square feet of useable open space is required per resident. Useable open space can be provided in the form of outdoor seating areas, gardens and/or recreational facilities.
7. As indicated on Sheet A0.2, a total of 16 bike parking spaces are being reported, however only 14 spaces are shown in the bike parking area. The Applicant shall revise the plans accordingly.
8. The Applicant shall revise Sheet L100 to include the "Future Metro Transit Easement" that is shown on Sheet AS.1.

**Please contact Tim Troester, City Engineering, at 267-1995 if you have questions regarding the following 18 items:**

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. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (Section 35.02(14), MGO).
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 sign-off (Section 16.23(9)(d)(4), MGO).
3. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
4. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. 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) Lot lines or parcel lines if unplatted
- g) Lot numbers or the words unplatted
- h) Lot/Plat dimensions
- i) Street names
- j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
- k) Private on-site storm sewer utilities (including all connections to public storm)

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

5. The Applicant shall 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). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and Section 37.09(2), MGO).

PDF submittals shall contain the following information:

- 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) Lot lines or parcel lines if unplatted
  - g) Lot numbers or the words unplatted
  - h) Lot/Plat dimensions
  - i) Street names
  - j) Stormwater Management Facilities
  - k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
6. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer (POLICY AND Sections 10.29 and 37.05(7)(b) "OVER 10,000 SF OF IMPERVIOUS AREA," MGO).
  7. The Applicant shall 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.

8. The Applicant shall demonstrate compliance with Sections 37.07 and 37.08, MGO 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.
9. The Applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity (POLICY).
10. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 24-hr, 100-yr design storm. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
11. Prior to approval, this project shall comply with Chapter 37, MGO 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. 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> (NOTIFICATION).
13. 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, MGO.
14. The Applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (Section 37.05(7), MGO). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
15. 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).

16. All work in the public right-of-way shall be performed by a City licensed contractor (Sections 16.23(9)(c)(5) and 23.01, MGO).
17. All damage to the pavement on Nakoma Road, 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).
18. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).

**Please contact Eric Halvorson, Traffic Engineering at 266-6527 if you have questions regarding the following six items:**

1. The Applicant shall shift the main entrance from the western side of the site to the eastern side of the site as new location will result in improved sight distances and decreased congestion at the Nakoma Road, Mohawk Drive, Hammersley Road intersection. This will also allow the traffic island on Nakoma Road to be shifted west as there will no longer be a need to access the site from this location.
2. The Applicant shall enter in to a Developer's Agreement with the City of Madison to build a Traffic Island, to be designed by Traffic Engineering, along the curve on Nakoma Road
3. 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.
4. 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.
5. 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.
6. All parking facility design shall conform to the standards as set in section 10.08(6), MGO.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator at 266-4429 if you have questions regarding the following 13 items:**

1. The Applicant shall continue to work with Planning and Zoning staff to modify the building access and entry. The proposed building should have at least one entrance to a public street, courtyard, lawn or other common open space.
2. Section 28.185(7)(a)(5), MGO, 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, Bryan Johnson (608-266-4682).
3. Pursuant to Section 28.185(10), MGO, every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5, MGO shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
4. Pursuant to Section 28.185(9)(a), MGO, a demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
5. The Applicant shall review the plans to show the front yard and northeast side yard setback distances on the final site plan. Per the Supplemental Regulations pursuant to Section 28.151, MGO, for an Assisted Living Facility, Congregate Care Facility, or Skilled Nursing Facility, the yard requirements for a multi-family use in the district will apply. The front yard setback is a minimum of 25 feet and the side yard setback is a minimum of 10 feet.
6. The site shall contain a minimum of one hundred fifty (150) square feet of usable open space per resident (11,100 sq. ft. total), consisting of outdoor seating areas, gardens and/or recreational facilities. Provide details of the balconies and interior recreation facilities contributing toward the useable open space requirement.
7. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11), MGO. Provide a minimum of one (1) bicycle stall per four (4) units plus one (1) per five (5) employees (23 total bicycle parking stalls) located in a convenient and visible area on a paved or impervious surface. Clearly show the interior bicycle parking locations and numbers of stalls. Show the typical dimensions of the interior and exterior bicycle stalls including the access aisles on the final plans. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
8. The Applicant shall submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3), "*Landscape Plan and Design Standards*," MGO, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
9. The Applicant shall submit details for the pervious paver areas.
10. Provide an appropriate transition area between the use and adjacent properties, using landscaping, screening, and other site improvements consistent with the character of the neighborhood. The Applicant shall work with Planning and Zoning staff to create an appropriate buffer.

11. Pursuant to Section 28.151, "*Supplemental Regulations*," MGO, a management plan for an Assisted Living Facility, Congregate Care Facility, or Skilled Nursing Facility is required. The Applicant shall submit management plan.
12. Per Section 28.186(4)(b), MGO, the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
13. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31, MGO. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development

**Please contact Bill Sullivan, Fire Department at 261-9658 if you have questions regarding the following three items:**

1. Provide a fire evacuation plan in accordance with IFC 404.2.1. MFD is concerned about the number of residents that will not be capable of self evacuation and whether enough staff will be provided to assist those residents to facilitate an efficient evacuation of the building.
2. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Captain Jerry Buechner (608)516-9195.
3. Provide a fire sprinkler system in accordance with NFPA 13. Sprinkler protection is required below the exterior overhang due to the living/sleeping space above.

**Please contact Janet Schmidt, Parks Division, at 266-4714 if you have any questions regarding the following two items:**

1. Park impact fees (comprised of the Park Development Impact Fee per Section 20.08(2), MGO and the Parkland Impact Fee in-lieu of land dedication per Sections 16.23(8)(f) and 20.08(6), MGO) will be required for all new residential development. The developer must select a method for payment of park fees before sign-off on the Conditional Use. This development is within the Garner impact fee district (SI 29). Please reference ID# 16153 when contacting Parks about this project.
2. The Applicant shall contact Janet Schmidt at [jschmidt@cityofmadison.com](mailto:jschmidt@cityofmadison.com) if they wish to further discuss options for deed restriction to lower the impact fee rate.

**Please contact Adam Wiederhoeft, Water Utility 266-9121 if you have questions regarding the following two items:**

1. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least 48-hour notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed

plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

2. The Applicant's utility contractor shall obtain an excavation permit prior to commencing the water main or service construction in the public right-of-way. This permit application is available on the City Engineering Division website (<http://www.cityofmadison.com/engineering/permits.cfm>).

**Please contact Tim Sobota, Metro Transit 261-4289 if you have questions regarding the following four items:**

1. The Applicant shall coordinate as necessary with City agencies to draft and record the proposed easement documentation, for the ultimate purpose of Metro Transit being able to relocate the existing bus passenger shelter from Mohawk Drive around the corner onto Nakoma Road - as identified on the site plan as "Future Metro Transit Easement."
2. The Applicant shall include the location of this easement area on the final documents filed with their permit application, so that Metro Transit may continue to coordinate the ultimate conveyance of this easement.
3. Metro Transit operates weekday transit service along westbound Mohawk Drive onto northbound Nakoma Road - past the existing bus shelter location at bus stop ID #4438 - between roughly 6 a.m. and noon.
4. Metro Transit operates weekday transit service along northbound Nakoma Road, north of the Mohawk Drive intersection - past the proposed easement area at bus stop ID #4501 - between roughly 6 a.m. and noon, as well as from 1 p.m. through 10 p.m. (the additional afternoon trips approach this stop from the Midvale Boulevard intersection).

**Please contact Jeff Quamme, City Engineering Review Mapping, at 266-4097 if you have questions regarding the following five items:**

1. Applicant is proposing a Metro Transit bus shelter partially located on the project site. The Applicant shall provide a map exhibit and legal description of the area to be included in the easement area as coordinated with Metro Transit staff to Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) to have the Madison Real Estate Project set-up. The Applicant shall also coordinate with Metro Transit staff and determine which entity shall be responsible for the \$500 Real Estate administrative fee for the coordination and recording of this easement document.
2. The Applicant shall obtain a privilege in streets agreement for the proposed private storm sewer running southeast of the site within the public right-of-way from the Office of Real Estate Services. The approval of this development does not constitute or guarantee approval of the encroachments. Provide an electronic copy of the map exhibit and word document of the legal description to the Land Records Coordinator, (Jeff Quamme – [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for review and comment.
3. The address of 4325 Nakoma Rd. will be retired with the demolition of the existing building. The



new building is assigned an address of 4327 Nakoma Rd. 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.

4. Applicant shall be aware and is responsible for any coordination regarding improvements and grade change proposed within the MG&E easement per Document No. 2004420.
5. Submit a PDF of all floor plans to [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. 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.

**Specific questions regarding the comments or conditions in this letter should be directed to the commenting agency. No building permits shall be issued until the Applicant has met all of the conditions of approval stated in this letter.**

**For obtaining your conditional use, please follow the procedures listed below:**

1. Please revise your plans per the above conditions and submit **nine copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. This submittal shall also include one complete digital plan set in PDF format. 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, MGO, and any other documentation requested herein by the Zoning Administrator, located at 126 S Hamilton St., Madison, WI 53701. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for final approval.
2. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.
3. This letter shall be signed by the Applicant to acknowledge the conditions of approval and returned to the Zoning Administrator.
4. The approval is valid for one (1) year from the date of the Common Council approval unless construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Common Council's approval, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date.

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 267-8733.

Sincerely,



Jessica Vaughn, AICP  
Planner

cc: Tim Troester, City Engineering  
Eric Halvorson, Traffic Engineering Division  
Jenny Kirchgatter, Zoning  
Bill Sullivan, Fire Department  
Janet Schmidt, Parks Division  
Adam Wiederhoeft, Water Utility  
Jeff Quamme, City Engineering Review Mapping

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

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

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

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Vaughn)	<input checked="" type="checkbox"/>	Zoning Administrator
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	Engineering Mapping Sec.	<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 checked="" type="checkbox"/>	Other: Water Utility