



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

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

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
TDD 608 266-4747  
FAX 608 266-8739  
PH 608 266-4635

May 16, 2012

Chris Schramm,  
Urban Land Interests  
10 E. Doty Street, Suite 300  
Madison, Wisconsin 53703

RE: Approval of a request to rezone 701-737 Lorillard Court & 159-171 Proudfit Street from R5 (General Residence District) and Planned Unit Development-General Development Plan (PUD-GDP) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a 116-unit apartment building following the demolition of three single-family residences.

Dear Mr. Schramm;

At its May 15, 2012 meeting, the Common Council **conditionally approved** your application to rezone 701-737 Lorillard Court & 159-171 Proudfit Street from R5 and PUD-GDP to PUD-GDP-SIP, subject to the following conditions of approval, which shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for demolition or new construction:

**Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following twenty-seven (27) items:**

1. City Engineering Mapping staff has approved a preliminary address plan for this site based on development plans that were provided to our office by the development team on March 22, 2012. If any interior unit configurations or access locations change, submit new PDF floor plans to [LZenchenko@cityofmadison.com](mailto:LZenchenko@cityofmadison.com) so that an amended address plan can be developed and implemented for the final site.
2. The concurrent Certified Survey Map (CSM) application shall be completed and recorded with the Dane County Register of Deeds prior to issuance of building permits. The CSM shall be signed off by City Engineering staff prior to final approval of the PUD. The concurrent CSM application shall be completed and CSM recorded with the Dane County Register of Deeds so that proper Address-Parcel-Owner (APO) data can be compiled and activated in appropriate city databases to ensure that all building permits are to be administered and issued under the current and appropriate parcel data.
3. The developer shall install sidewalk along Lorillard Court in accordance with the plans approved by the City Engineer. The sidewalk shall require right of way dedication with the CSM.
4. Revise the proposed angle parking so that it is completely on private property.

5. A pumping plan for the access to the underground parking shall be provided and stamped by a Professional Engineer or Master Plumber and provided to the City Engineering Division for review. The plan shall show that the system is designed to handle the 100-year storm event.
6. Elevations on the plan set shall be referenced to the USGS Datum to allow a determination of flooding risk.
7. The developer shall work with the Wisconsin Department of Natural Resources to get BRRTS Site No. 03-13-283761 closed. Contact Brynn Bemis at 608-267-1986 or [BBemis@cityofmadison.com](mailto:BBemis@cityofmadison.com) if you have any questions on this issue.
8. The developer shall comply with the "Consent to Occupy Easement", Document No. 4671191 and 4717711 to determine which improvements will be allowed in the existing public storm sewer easement.
9. The developer shall provide a public sanitary sewer easement with the corresponding CSM.
10. No trees shall be planted within the existing public storm or proposed public sanitary sewer easements.
11. Revise the site plans to show the street improvements that were completed on Proudfit Street adjacent to the development.
12. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer 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. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
13. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
14. The approval of this planned unit development 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. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
15. 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.
16. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that 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.

17. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan in PDF format to Dean Kahl, of the City Parks Department - [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816.
18. All damage to the pavement on Lorillard Court and Proudfit Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
19. 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 7.5-tons per acre per year.
20. Prior to final approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: control 40% TSS (20 micron particle) off of new paved surfaces; provide oil & grease control from the first 1/2" of runoff from parking areas, 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.
21. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
22. 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).
23. 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.
24. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
25. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City

staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.

26. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.
27. 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.

**Please contact Bryan Walker of the Traffic Engineering Division at 267-8754 if you have questions about the following four (4) items:**

28. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineer Division to accommodate the microwave sight and building. The applicant shall submit grading plans and elevations if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
29. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'.
30. 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.
31. 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 Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following two (2) items:**

32. Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Please consider allowing the Madison Fire Department to conduct training sequences in the buildings prior to demolition. Please contact the MFD Training Division at 246-4587 to discuss this possibility.
33. Staff will want to further review fire shutters, their locations and operations.

**Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:**

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

**Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following six (6) items:**

35. The developer shall pay \$251,526.73 in park impact fees for the 116 multi-family units proposed lest the credit for the 3 single-family residences to be demolished. Fees in lieu of dedication of \$189,196.00 (116 units@\$1,631) plus park development fees of \$72,954.72 (116 units@ \$628.92), equal a total pre-credit park impact fee of \$262,150.72. The credit for the 3 single-family residences equals \$10,623.99 [Fees in lieu of dedication of \$7,689.00 (3 units @ \$2,563) and park development fees of \$2,934.99 (3 units @ \$978.33)]. The developer must select a method for payment of park fees before signoff on the SIP. This development is within the Vilas-Brittingham park impact fee district (S127).
36. All stormwater from the new development must be contained within the property. The sidewalks along the property boundary shall be sloped away from parkland so that all runoff is directed back to the development property. There shall be zero discharge of stormwater from this development onto the adjacent park property.
37. The developer shall obtain a Temporary Limited Easement (TLE) to grade on park property and pay any necessary costs for this easement. The limits of the easement shall be clearly delineated on site, with construction fence outlining the area to ensure that grading does not extend beyond those limits and tree protection measures are installed to ensure that the root zones of any trees to remain on the parkland are not adversely impacted by the grading. Resulting slopes on the parkland shall not exceed 3:1 for mowing purposes.
38. The developer shall identify if any trees are proposed to be removed on parkland, including size and species. Once this information is provided, the request will be evaluated further by Parks staff, including the City Forester. Any reduction in tree canopy in the city is discouraged. the developer is required to submit a tree preservation plan, and potentially a replanting plan if removal of trees on parkland cannot be avoided, both to be approved by the Parks Superintendent prior to final signoff of the rezoning.
39. The developer shall provide information on the seed mix proposed to be used to restore the area on parkland to prairie/managed meadow for Parks Division staff approval. The limits of the managed meadow area should be consistent with the existing managed meadow area on parkland, where appropriate.
40. Dogs are allowed on-leash in Brittingham Park between S. Bedford and S. Bassett streets only; dogs are not allowed in other areas of Brittingham Park. Dogs are not allowed in the park area adjoining this development; this information should be included in the rental information that tenants receive.

**Please contact my office at 261-9632 if you have questions about the following item:**

41. That the Planned Unit Development be revised per Planning Division approval prior to final approval for recording and the issuance of building permits as follows:
- a.) That the zoning text be specifically revised to state: "The developer acknowledges the presence of existing and future high levels of noise and vibration resulting from trains operating on the nearby railroad rights of way, including from possible future commuter rail services." This provision shall also be added to the leases for all proposed units, with a copy of the lease to be provided for the zoning file.
  - b.) That that the list of permitted uses be revised to include "Home Occupations, as permitted under Section 28.04(26) of the Zoning Ordinance, Home Occupations, except that the requirement related to employees outside the immediate family shall not require a conditional use approval for one employee as proposed in the letter of intent and the restriction to 25% of floor area of one story in 28.04(26)(b)8 not apply to this project."
  - c.) That the Signage section of the zoning text be revised to state that signage for the project shall be limited to the maximum permitted in the R5 zoning district, and as approved by the Urban Design Commission or its secretary, and the Zoning Administrator.

**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.**

Approval of the 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.

After the planned unit development has been revised per the above conditions, please file **ten (10) sets** of complete, fully dimensioned, and to-scale plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12 (10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the

general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

- cc: Janet Dailey, City Engineering Division  
Bryan Walker, Traffic Engineering Division  
Bill Sullivan, Madison Fire Department  
Kay Rutledge, Parks Division  
Dennis Cawley, Madison Water Utility  
Pat Anderson, Asst. Zoning Administrator

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 checked="" type="checkbox"/>	Rec. Coord. (R & R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: