



Department of Planning & Community & Economic Development
Planning Division

Website: 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

October 31, 2008

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

RE: Approval of a request to rezone 159-171 Proudfit Street and 701-737 Lorillard Court from R5 (General Residence District) and Planned Unit Development, General Development Plan to Amended PUD-GDP and Planned Unit Development, Specific Implementation Plan (PUD-SIP) to allow demolition of three single-family residences and the construction of two office buildings totaling 70,000 square feet.

Dear Mr. Schramm:

At its October 28, 2008 meeting, the Common Council **conditionally approved** your application to rezone property located at 159-171 Proudfit Street and 701-737 Lorillard Court from R5 and PUD-GDP to Amended PUD-GDP and PUD-SIP. The following conditions of approval shall be satisfied prior to final approval and recording of the specific implementation plan and the issuance of demolition and building permits:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty-one (21) items:

1. The developer shall construct sidewalk on Lorillard Court and dedicate sufficient right-of-way for a 14-foot terrace measured from the property line to the face of curb. The dedication shall be accomplished by the recording of the Certified Survey Map, of which the simultaneous application has been made.
2. Street C-103 has a reference to "Drainage Easement Note 2" but this note does not exist.
3. Connections to existing City storm (HERCP) shall be made with a structure not a tap.
4. Existing 20" storm pipe running along the rail corridor shall be maintained. Construct new pipe beyond building envelope.
5. The applicant shall revise the storm sewer design and provide design calculations, stamped by a Professional Engineer in the State of Wisconsin, to show that the storm sewer serving the access to the underground parking is designed and sized to protect the underground area from flooding during the 100-year storm sewer event.
6. Proposed Building B shows a proposed 8" sewer service connection. City records indicate that the existing lateral is 6" diameter. Verify 6" is satisfactory or revise design to replace entire lateral.
7. Proposed Building B may retain the address of 701 Lorillard Court and the address for future Building A shall be approved and provided by the Engineering Division (Lzenchenko@cityofmadison.com).

8. Median break on Proudfit Street will require a separate application with the Board of Public Works.
9. 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.
10. The approval of this project 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.
11. The applicant shall replace all sidewalk and curb and gutter which 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.
12. A City-licensed contractor shall perform all work in the public right of way.
13. 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.
14. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, 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 Wisconsin Department of Natural Resources is required.
15. Prior to 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 MGO.
16. 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. 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. Email file transmissions preferred. Please include the site address in this transmittal. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format.
17. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). 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).

18. 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.
19. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
20. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
21. Prior to approval of the conditional use application, 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.

The permit applications for #19-21 are available online at:
<http://www.cityofmadison.com/engineering/permits.cfm>.

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

22. Approval of this planned unit development does not include the approval of the changes to roadways, median break, sidewalks or utilities. The applicant shall need to obtain separate approval by the Board of Public Works and Common Council for the improvements in the public right-of-way including any changes requested by the developer. The applicant shall note on the plan, "All work in the right-of-way shall be approved by the Board of Public Works."
23. Notes: The application has not demonstrated a case to support a median break proposed on Proudfit Street for the development. The Board of Public Works may consider approving a median break. However, if a median break is approved, it is recommended that the median break design be for a left turn in only and include off-setting or mitigating improvements at the existing two related intersections of Brittingham Place and W. Main Street related to the development and median break. This shall include a landscaping plan, median changes, and curb extension improvements for pedestrians and bicycles. If street changes are approved by the Board of Public Works, the applicant will need to enter into a developer's agreement to construct the improvements approved.
24. The applicant shall indicate the type of bicycle racks to be installed both inside and outside the building.
25. When the applicant submits final plans 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, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent

driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.

26. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
27. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
28. 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.
29. 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 266-4551 if you have questions regarding the following five items:

30. Meet all applicable State accessible requirements, including but not limited to:
 - a.) Provide a minimum of five 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 building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
31. Provide one 10' x 35' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. If this loading area cannot be provided, request and obtain approval of the Plan Commission to specifically waive this requirement or it will need to be provided.
32. Provide adequate bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. Note: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Work with Zoning staff to determine final numbers.
33. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
34. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See Parking Lot Packet). Lighting will be limited to .08 watts per square foot.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following two items:

35. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19, as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes.
 - b.) Provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet of the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
 - c.) Provide a minimum unobstructed width of 26-feet for at least 20-feet on each side of the fire hydrant.
36. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least two fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

Please contact my office at 261-9632 if you have questions about the following items, including the six conditions added by the Plan Commission (conditions #35-40) (condition #32 was also modified by the Commission):

37. That a sheet entitled "General Development Plan" be added to the final plans per Planning Division approval that provides the proposed outside dimensions, setbacks, floor height and gross floor area for Building A.
38. That the letter of intent, zoning text and any other relevant plan materials be revised to eliminate any references to a 9-story building within the planned unit development.
39. That a note be placed on the final plans acknowledging the presence of existing and future high levels of noise and vibration resulting from trains operating on the adjacent railroad right of way, including noise and vibration from possible future commuter rail services.
40. That an amended specific implementation plan be submitted for approval by the Common Council prior to the issuance of building permits related to the Building A office building that includes final details on building architecture, materials and landscaping.
41. That ingress to the site from Proudfit Street shall be permitted by a left-in only median break (allowing left turns from southbound Proudfit Street onto Lorillard Court) subject to approval by the Board of Public Works. In the event U-turns at W. Main and Proudfit streets are limited or prohibited by the City, the median break at Lorillard Court would be permitted to be modified at the expense of Urban Land Interests to allow left turns from Lorillard Court onto Proudfit Street subject only to approval by the Board of Public Works and Common Council as required.
42. That Urban Land Interests shall contribute to the cost of pedestrian crossing improvements at the intersections of Proudfit Street with W. Main Street and Brittingham Place.
43. That the applicant use only low-decibel rooftop mechanical equipment on both office buildings.
44. That the maximum height of the monument sign along Proudfit Street be limited in height to 5 feet, 6 inches.
45. That the left-turn lane from Lorillard Court shown on the development plans be removed (as no left turns will be permitted).

46. That replacement of trees lost to accommodate the approved left-turn bay from Proudfit Street.

The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final approval of the planned unit development for recording. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way or adjacent City park. Permission for such activities must be obtained from the City Forester, 266-4816.

A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit. The reuse and recycling plan shall be submitted along with the resubmittal of site plans for forwarding to the Recycling Coordinator.

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

After the plans have been changed as per the above conditions, please file **ten (10) sets** of the revised, complete site plans, building elevations, floor 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 signature of 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 267-8735.

159-171 Proudfit Street
& 701-737 Lorillard Court
October 31, 2008
Page 7

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Pat Anderson, Assistant Zoning Administrator
John Leach, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
Scott Strassburg, Fire Department
Si Widstrand, Parks Division

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (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"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: