



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

July 22, 2009

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 Planned Unit Development-Specific Implementation Plan (PUD- SIP) to Amended PUD-SIP to allow construction of a 14,300 square-foot office building.

Dear Mr. Schramm;

At its July 21 2009 meeting, the Common Council **conditionally approved** your application to amend the PUD-SIP for property located at 159-171 Proudfit Street and 701-737 Lorillard Court to allow construction of a 14,300 square-foot office building. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and the issuance of any permits for new construction:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following seventeen items:

1. Any damage to the pavement on Proudfit Street or Lorillard Court will require restoration in accordance with the City's Patching Criteria.
2. Proposed plan does not adequately address risk of flooding to the proposed lower level of Building A. (See City Engineer letter of July 16, 2008.) A professional engineer shall submit a sealed plan that provides protection of the 100-year storm event and provides protection from water migration from the storm sewer into the building.
3. The applicant shall dedicate right of way along Lorillard Court on the south side. The new right of way line shall be located 14 feet behind the face of curb (presumably by recording the previously approved Certified Survey Map).
4. The applicant shall complete staff conditional approval comments for the previous Demolition and Rezoning and CSM applications. The CSM shall be recorded prior to issuance of building permits.
5. 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.

6. The applicant shall construct sidewalk along Lorillard Court to a plan approved by the City Engineer.
7. 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.
8. 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.
9. A City-licensed contractor shall perform all work in the public right of way.
10. 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.
11. 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.
12. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to 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.
13. 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. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email 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.
14. 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.

15. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
16. Prior to approval of the project, 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.
17. 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.

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

18. Approval of this PUD-SIP does not include the approval of the changes to roadways, median break, sidewalks or utilities. The applicant shall note on the plan: "All work in the right of way shall be approved by the Board of Public Works."
19. 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, 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'.
20. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
21. 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.
22. 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 items:

23. The demolition of the single family homes 159-171 Proudfit Street where previously approved; however demolition permits have not been issued. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note,

the owner must submit documentation of recycling and reuse within 60 days of completion of demolition

24. Provide 11 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. Show the stalls on the plans.
25. Meet all applicable State accessible requirements, including but not limited to:
 - a.) Provide a minimum of 5 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 to and on the passenger side.
 - 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.
26. 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.
27. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. Lighting will be limited to .08 watts per square foot.
28. 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.

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

29. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19, as follows: The site plans shall clearly identify the location of all fire lanes. On the site plan, show fire lane going on the 20-foot wide side of the existing island.

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

30. Note: Prior to the recording of the amended SIP, the applicant will be required to receive all necessary approvals from the City Engineering Division and/ or Office of Real Estate Services for those proposed encroachments into the public storm sewer easement adjacent to Proudfit Street.
31. That a note be placed on the final plans and in the PUD zoning text 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.

32. That following approval and recording of this amended PUD and prior to the issuance of permits to demolish the Proudfit Street houses and the construction of the first office building, the applicant shall record the two-lot Certified Survey Map of the subject site administratively approved on October 31, 2008.
33. That the applicant submit a complete, combined PUD plan set for Buildings A and B for staff review and approval prior to recording and issuance of permits to demolish the Proudfit Street houses and the construction of the first office building. The combined plan sets shall show all improvements related to the two buildings, including final architectural plans, elevations, landscaping, etc. The combined plans should include a phasing plan for how the PUD will be implemented if the two buildings are to be constructed in phases, particularly the phase limits of the central surface parking area.
34. That the applicant work with the Planning Division and Zoning Administrator prior to final approval and recording of the planned unit development to develop an enumerated list of permitted commercial and office uses for the zoning text. [Staff believes that it would be best going forward to approve PUD zoning texts with such use lists so as to avoid references to the existing Zoning Code, which is currently being rewritten and will likely have different, more contemporary use lists.]
35. That the zoning text be amended prior to recording per Planning Division approval as follows:
 - a.) signage shall be limited to the maximum permitted in the C2 zoning district and as approved by the Urban Design Commission and Zoning Administrator (the provision for temporary construction signage is acceptable pending approval by the Zoning Administrator);
 - b.) the Alterations and Revisions section read "No alteration or revision of this planned unit development shall be permitted unless approved by the City Plan Commission, however, the Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and the alderperson of the district and are compatible with the concept approved by the City Plan Commission.

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 building permits. 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 Brittingham Park. Permission for such activities must be obtained from the City Forester.

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.

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

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
John Leach, Traffic Engineering Division
Tom Maglio, Parks Division
Scott Strassburg, Madison Fire Department
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"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: