



Department of Planning & Development
Planning Unit

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January 19, 2006

Union Corners, LLC
Todd McGrath, McGrath Associates
103 N. Hamilton Street
Madison, Wisconsin 53703

RE: Approval of a request to rezone 2313-2525 E. Washington Avenue, 2306-2422 Winnebago Street, 2317-2415 Winnebago Street and 11 S. Fifth Street from C2 (General Commercial District) and M1 (limited Manufacturing District) to Planned Unit Development-General Development Plan (PUD-GDP) to allow the development of 450 dwelling units, 110,000 square feet of commercial space in 11 buildings following demolition of approximately 20 principal and accessory buildings.

Dear Mr. McGrath:

At its January 17, 2006 meeting, the Common Council **conditionally approved** your application for rezoning property located at 2313-2525 E. Washington Avenue, 2306-2422 Winnebago Street, 2317-2415 Winnebago Street and 11 S. Fifth Street from C2 and M1 to PUD-GDP. The following conditions of approval shall be satisfied prior to final approval and recording:

Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following twenty-one (21) items:

1. The layout requires the vacation of Division Street, the abandonment of a the railroad crossing on Division Street, the acquisition of a portion of the property at 2305 Winnebago Street (corner of Division Street and Winnebago Street) and the realignment of Winnebago Street at Fifth Street. The City Engineer has ordered a survey of the existing topography and the City will design the new street layout. The vacation of the streets and the acquisition of property require separate Common Council Approval and the abandonment of the railroad crossing requires the approval of the Office of the Commissioner of Railroads (OCR). The OCR could object to the abandonment of the Division Street railroad crossing and it may be determined that the vacation of Division Street is not in the best interest of the City. The developer shall revise the right of way on Winnebago Street and Division Street as required by the City Engineer to meet the requirements of the ultimate design.
2. The developer shall dedicate additional right of way on E. Washington Avenue and on Milwaukee Street as required by the City Engineer to accommodate the E. Washington Ave and Milwaukee Street reconstruction.
3. The dedication of right of way for the streets internal to the development appear generally acceptable however the alignments have not been reviewed in detail. The developer shall revise the right of way if required by the City Engineer and City Traffic Engineer.
4. The applicant shall be required to detain stormwater as necessary to allow the discharge rate to the south to match the existing limited storm sewer capacity.

5. The relocation of Winnebago Street requires the relocation of numerous utilities. The developer shall arrange for the relocation of the utilities.
6. The proposed 12-inch sanitary extending southeast from E. Washington Avenue appears larger than what is needed. Verify the sizes of existing sanitary sewer mains.
7. 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.
8. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
9. 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.
10. The applicant shall replace all sidewalk and curb and gutter which abuts the property that 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.
11. 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.
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. This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.

16. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane County Register of Deeds.
17. 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) and provide oil & grease control from the first 1/2" of runoff from parking areas.
18. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, and other miscellaneous impervious areas.
19. 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.
20. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
21. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following eighteen (18) items:

22. The subject development is approved condition upon the findings and recommendations contained in the developer's Traffic Impact Study dated December 2004, particularly Table 5 of that report.
23. The final street designs and right of way requirements shall be reviewed and approved by the Traffic Engineer. The proposed designs are very close to acceptable, but need some minor refinements.
24. The attached traffic signal and streetlight declaration of conditions and covenants shall be executed and returned to City Traffic Engineering.
25. The 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 to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans 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.
26. The approval of this facility does not include the approval of the as proposed improvements in the street right of way. The applicant should remove all proposed improvements or conditions in the right-of-way on the site plan sheets or note: "All right-of-way improvements require separate approval by the Board of Public Works and Common Council for the public right-of-way changes to be requested by the developer."

27. The applicant shall enter into a subdivision contract or developer's agreement to accommodate proposed street improvements.
28. The owner shall sign an agreement with the City of Madison, which requires the property owner to pay 100% of the cost of annual operating and maintenance expenses for the new traffic signal to be installed at Sixth Street and E. Washington Avenue.
29. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and streetlight 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" = 60'.
30. If the number of parking stalls proposed is over 1,000, the applicant is advised of the Wisconsin Administrative Code NR 406 requirements as they pertain to parking lot size and air quality. The Applicant should contact the Wisconsin Department of Natural Resources, John Meier, Air Quality Analyst (267-0869). A letter from the WDNR should be provided to City Traffic Engineering demonstrating that the Indirect Source Permit was issued or exempted.
31. The applicant shall note that Madison General Ordinance 10.08(a) 6 requires all facilities to have adequate internal circulation in which no backing movement, except that required to leave a parking stall, is allowed. All parking facilities shall be designed so as not to utilize any portion of the public right-of-way except to permit ingress and egress in a forward manner. The facility requiring truck service should be accommodated on-site with ingress and egress in a forward manner.
32. The applicant shall redesign the driveway approaches according to the design criteria for a "Class III" driveway in accordance to Madison General Ordinance Section 10.08(4). The proposed driveway approaches with a width over 30 feet is not permitted according to the ordinance.
33. The applicant shall design the surface parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The "One Size Fits All" stall could be used for the residential parking area and in the ramp only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
34. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
35. The applicant shall install private street name and other signs that comply with Madison General ordinances 10.34(3). The applicant shall show detail drawing of signs and installation that comply with MGO:

Sign Installation. Street name signs shall be installed five (5) feet behind the property line on private property on the right hand side of the private street approach to the public street. Signs may be mounted on wood posts, drive posts or on two (2) inch (I.D.) steel pipe mounted on a concrete stub buried in the ground. At all private-public street intersections, the property owner shall install and maintain a regulation stop sign (minimum 24" x 24") and a "Private Drive" sign (minimum 18" x 18") mounted on the street name sign post seven (7) feet above ground (measured to the bottom of the sign). Street name signs shall be mounted no less than nine (9) feet, nor more than ten (10) feet above ground (measured to the bottom of the sign).

36. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications or installation of traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
37. "Stop" and "No Left Turns" signs shall be installed at a height of seven (7) feet to the bottom of the first sign at the driveway approach to E. Washington Avenue. A "Stop" sign shall be installed at a height of seven (7) feet all driveway approaches except the traffic round about. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
38. If the E. Washington Avenue driveway approaches are special street type, the applicant shall provide a detail 1" = 20' detail drawing of the "Street Type Entrance" with plan sheets showing epoxy lane lines, cross walks, stop bars and pavement markings details to be approved by the City Traffic Engineer. In addition, a note shall be shown on the plan, "ALL PAVEMENT MARKING SHALL BE INSTALLED IN EPOXY AND MAINTIAN BY THE PROPERTY OWNER."
39. 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 John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following five items:

40. Section G-G1 private street (angled parking) does not have a minimum of 20 feet for fire access. This public way will not be considered for the fire access. This cannot be used for access to a fire lane or for access to any structure that it serves.
41. The fire lane to building G3 is over 150 feet; show an approved turnaround on the plan or provide one.
42. The fire lane to building A is over 150 feet; show an approved turnaround, or path back to the public way on the fire access plan.
43. On the fire access plan, note any buildings that are fully sprinklered and have a hose length greater then 150 feet so the department can extend the hose reach to 250 feet.
44. 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 and required turnarounds.
 - b.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following two items:

45. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to CDBG, a copy of the approved plan for recording prior to zoning sign off of the PUD-SIP.
46. Demolition of the existing buildings and the infrastructure work are being approved as part of the general development plan and Certified Survey Map. The phased development work will require rezoning to PUD-SIP.

Please contact Tim Sobota, Metro Transit, at 261-4289 if you have questions about the following eleven (11) items:

47. The applicant shall install and maintain a concrete passenger boarding pad on the west side of S. Sixth Street, approximately 80 feet south of the sidewalk and curb ramp on E. Washington Avenue. The concrete pad shall occupy the full distance of the terrace, measure a minimum of six feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.
48. The applicant shall install and maintain a passenger waiting shelter with bench seating and a trash receptacle on top of a concrete pad or other suitable surface on the west side of South Sixth Street south of East Washington Avenue, in an area adjacent the concrete passenger boarding pad described above (Bus Stop A).
49. The applicant shall install and maintain a concrete passenger boarding pad on the south side of Milwaukee Street, at the east end of the bus turnout bay shown on the site plan. The concrete pad shall occupy the full distance of the terrace, measure a minimum of six feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.
50. The applicant shall install and maintain a passenger waiting shelter with bench seating and a trash receptacle on top of a concrete pad or other suitable surface on the south side of Milwaukee Street east of E. Washington Avenue, in an area adjacent the concrete passenger boarding pad described in item #3 above (Bus Stop B).
51. The applicant shall provide an easement to the City of Madison for the purpose of installing transit amenities in an area on the south side of E. Washington Avenue, east of Sixth Street, should such space be found to be necessary during the reconstruction of E. Washington Avenue.
52. The street dimensions, traffic circle and associated corner radii shall permit two-way bus traffic between Winnebago Street and E. Washington Avenue via S. Sixth Street.
53. The developer shall include these concrete passenger boarding pads, shelters with benches, and trash receptacles on the final documents filed with their permit application so that Metro Transit may review and approve the design.
54. The applicant is encouraged to install passenger amenity items on private property behind the sidewalk. Placement of privately installed and maintained property on public right-of-way will require the review and approval of additional City agencies, including City Real Estate and City Engineering, prior to Metro Transit giving final approval to the plans. If installed on City right-of-way between the curb and sidewalk, the amenities may not obstruct a six-foot zone of concrete pad between the curb and sidewalk on the south end, furthest from the crosswalk.
55. Metro Transit currently operates transit along S. Fifth Street between E. Washington Avenue and Winnebago Street. Buses traveling in the opposite direction use Winnebago Street all the way east to its present intersection at East Washington Avenue. The proposed reconstruction of E. Washington Avenue and redevelopment project will require the relocation of transit service to the new S. Sixth Street in both directions.
56. Metro Transit anticipates maintaining the current bus stops on either side of Winnebago Street west of Fifth Street adjacent the railroad crossing. Heading east, the next stop after the railroad crossing is anticipated to be on eastbound E. Washington Avenue, east of Sixth Street. Coming from the North Street intersection, buses are anticipated to stop on the west side of Sixth Street, south of E. Washington Avenue, then continue to the present stop on the north side of Winnebago Street adjacent the railroad crossing west of Fifth Street.

57. The bus turnout bay on the south side of Milwaukee Street east of E. Washington Avenue would become part of routes crossing from North Street, or turning right onto Milwaukee from E. Washington Avenue.

Please contact Si Widstrand, Parks Division, at 266-4711 if you have questions about the following item:

58. Park dedication required for this project is 306,600 square feet based on 700 square feet per unit. The required dedication shall be paid as a fee in lieu of land, based on the actual value of the acreage up to a maximum of \$1.74 per square foot. The value is determined by the Real Estate Unit and is based on the land value prior to development approval. The estimated fee would be \$533,484.00, based on **438** units. Park Development Fees are \$229,582.08 (**438** units X \$524.16 per unit).

The maximum park fee credit available for this project under Inclusionary Zoning is \$92,767.00 based on 37,256 square feet in the town center and resident park, up to a maximum credit for land and improvements of \$2.49 per square foot.

→ Total estimated park fees (based on **438** units and credit): \$763,066.08 – \$92,767.00 = \$670,299.08

Park fees shall be paid prior to each SIP signoff, or the developer may pay half the fees and provide a letter of credit for the other half. Developments with multi-phase subdivision contracts may pay with each phase.

Please contact my office at 261-9632 if you have questions about the following nine items, including four conditions of approval (64-67) included by the Plan Commission:

59. That a detailed Inclusionary Dwelling Unit Plan be submitted with all future specific implementation plan approvals.

60. That design standards for the whole project be submitted as part of the first specific implementation plan that discuss how the applicant will address concerns over the design of the various buildings during implementation of the general development plan.

61. That the applicant submit building elevations and any other relevant materials to the Planning Unit for approval of the exterior finishes of individual tenant spaces for all commercial spaces. Such plans shall include contextual information showing the relationship between the exterior finishes proposed and the remainder of the retail corridor.

62. That the applicant submit a Reuse and Recycling Plan for approval by the City of Madison Recycling Coordinator prior to the permits for demolition being issued.

63. That the vacation of Sullivan, Florence and Winnebago streets and the recording of the Certified Survey Map subdividing the subject site be based on this general development plan and that the recording of both occur prior to the approval of the first specific implementation plan.

64. That the specific implementation plan explore the Milwaukee Street frontage to create a more urban feel.

65. That a pedestrian connection from the development be provided to Farwell Street east of Buildings G.1-G.3.

66. That this project be presented by the applicant to the Pedestrian, Bicycle, Motor Vehicle Commission for review prior to the submittal of the first specific implementation plan.

67. That the single-family residences on the site be moved where possible.

After the plans have been changed as per the above conditions, please file **twelve (12) 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.

Approval of 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.

An Inclusionary Dwelling Unit Plan shall be recorded with this planned unit development as required by the Community Development Block Grant Office.

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 (30) months of Common Council approval of the General Development Plan or within eighteen (18) months of the recording of the Specific Implementation Plan, whichever is less, the basis right of use for the areas, when in conformity with the approved Specific Implementation Plan, shall lapse and be null and void unless the project, as approved, is commenced by the issuance of a building permit. If a new building permit is required pursuant to Sec. 28.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain 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: Kathy Voeck, Assistant Zoning Administrator
 Gary Dallman, City Engineering
 John Leach, Traffic Engineering
 John Lippitt, Madison Fire Department
 Si Widstrand, Parks Division
 Barb Constans, CDBG Office
 Tim Sobota, Metro Transit

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit (T. Parks)	<input type="checkbox"/>	Madison Water Utility
<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
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Metro Transit
<input checked="" type="checkbox"/>	CDBG Office	<input type="checkbox"/>	Other: