

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of February 20, 2008**

**RE: ID #08818: Zoning Map Amendment ID 3336 & 3337 to Rezone 702 N. Midvale Blvd.
from PUD-GDP-SIP to Amended PUD-GDP-SIP**

1. Requested Actions: Approval of a request to amend the previously approved PUD-GDP-SIP (Planned Unit Development, General Development Plan; Specific Implementation Plan) for Hilldale Shopping Center to allow construction of a three-story retail/office building in place of a previously approved eleven-story office/residential building.
2. Applicable Regulations: Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.12 (9) provides the process for zoning map amendments.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Property owners: Hilldale Land Company, LLC, Hilldale Building Company, LLC and HD Annex, LLC

Applicant & Owner Representatives: Joseph Freed & Associates; 220 N Smith Street, Suite 300; Palatine, Illinois; Adam Fink, representative.
2. Development Schedule: Development of the second phase of the Hilldale redevelopment is ongoing. Construction on the proposed retail/ office building will commence in March of 2008, with completion scheduled for June 2009.
3. Location: The entire Hilldale planned unit development consists of approximately 37 acres generally bounded by N. Segoe Road and Sawyer Terrace on the west, University Avenue on the north, N. Midvale Boulevard on the east and the prolongation of Heather Crest on the south, in Aldermanic District 11; Madison Metropolitan School District; Urban Design District 6.
4. Existing Conditions: The 528,664 square foot Hilldale Shopping Center site is comprised of eleven buildings including the 349,450 square foot indoor shopping mall (Macy's, Sentry, etc.) and Ace Hardware. Phase I of a redevelopment project focused primarily east of the main retail mall building and included two parking structures containing 649 parking spaces, four retail buildings opposite the east wall of the mall totaling 71,190 square feet and 40 condominium units in four townhouse buildings located along N. Midvale Boulevard. Other Phase I projects included a 7,900 square-foot restaurant at the northeastern corner of the site,

the six-screen Sundance Cinema at the southern end of the mall and a 13,200 square-foot commercial building located at the southeastern corner of Price Place and Heather Crest.

5. Proposed Phase: This application varies the improvements approved for Phase II of the Hilldale redevelopment in the area previously occupied by the Humana office park and the Hilldale Theater and Peking Palace restaurant, which have been demolished. Phase II was previously approved for development of a 65,000 square-foot grocery store, 25,000 square feet of additional retail space, 13,000 square feet of office space, a 40,000 square-foot gym, 238 condominium units and approximately 1,100 structured parking spaces. A recent amendment to the PUD-GDP-SIP to relocate a 140-room hotel from elsewhere in the development to the site of 90 of the 238 condominium units originally proposed was approved in January 2008.
6. Land Use and Zoning Surrounding Site:
 - North: Single-family residences, a multi-story condominium building, Border's Books, Walgreen's, McDonald's, Copp's Supermarket and multi-tenant retail, located in the Village of Shorewood Hills; State of Wisconsin office building, zoned C2 (General Commercial District) in the City of Madison;
 - South: M & I Bank, Anchor Bank and various multi-tenant retail/ office buildings, zoned C2;
 - West: Hill Farms State Office Building (Dept. of Transportation), zoned C2; Normandy Apartments, zoned R6 (General Residence District); Karen Arms Condominiums and Rennebohm Park, zoned R5 (General Residence District);
 - East: US Bank, zoned C1 (Limited Commercial District); multi-unit residence buildings, zoned R4 (General Residence District).
7. Adopted Land Use Plan: The Comprehensive Plan identifies Hilldale as a site for transit-oriented and community mixed-use redevelopment.
8. Environmental Corridor Status: The property is not located within a mapped environmental corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the standards for zoning map amendments and planned unit developments.

PREVIOUS APPROVALS

On February 1, 2005, the Common Council approved rezoning of the 37-acre Hilldale Shopping Center and Humana Office complex from C2 (General Commercial District) to PUD-GDP-SIP to allow the addition of two parking structures containing 668 parking spaces, four retail buildings opposite the east wall of the mall totaling 71,190 square feet and 40 condominium units in four townhouse buildings located along N. Midvale Boulevard.

On December 13, 2005, the Common Council approved an amendment to the Hilldale PUD-SIP to allow demolition of the former US Bank office and the construction of the 7,900 square-foot Fleming's restaurant near the southwest corner of N. Midvale Boulevard and University Avenue.

On May 16, 2006, the Common Council approved an amendment to the Hilldale PUD-SIP to allow construction of a 13,200 square-foot commercial building containing the Great Dane Brew Pub and retail space located at the southeastern corner of Price Place and Heather Crest.

On January 2, 2007, the Common Council approved a major amendment to the Hilldale PUD-GDP-SIP to allow demolition of the former Humana office complex and the construction of a 55,000 square-foot grocery store, 25,000 square feet of additional retail space, 13,000 square feet of office space, a 40,000 square-foot gym, 238 condominium units and approximately 1,100 structured parking spaces (otherwise known as Phase II). The amended GDP also approved a future phase consisting of 220 residential units and one hotel.

On August 7, 2007, the Common Council approved a Certified Survey Map, preliminary plat and final plat subdividing the Hilldale property into a total of 12 lots.

On January 8, 2008, the Common Council approved a major amendment to the Hilldale PUD-GDP-SIP to allow a 140-room hotel to be constructed at the site of a previously approved 90-unit condominium building that was included in the original Phase II plan.

PLAN REVIEW

The developer, Joseph Freed & Associates, is requesting approval of a major alteration to the previously approved planned unit development for Hilldale Shopping Center. The proposed amendments to the general development plan and specific implementation plan will focus on the

Phase II area in the northwestern corner of the overall 37-acre development on the land generally bounded by University Avenue, N. Segoe Road, Frey Street and Hilldale Way that was previously occupied by the Humana office park and Hilldale Theater. This portion of the mixed-use redevelopment project was approved in early 2007 as a PUD-GDP-SIP to allow construction of a Whole Foods grocery store, an 11-story structure office/ residential tower, a 9-story mixed-use retail/residential structure and a 1,095-space parking structure. Construction of Phase II commenced in August and will continue through 2010.

The major alteration to the general development plan and specific implementation plan proposes to replace a previously approved 11-story residential/office tower along University Avenue with a 3-story office/retail building in the same location. The previously approved building included a 10-story residential tower with up to 144 dwelling units to be located above 13,400 square feet of first floor office space. The building, known as The Heights, was proposed between the Whole Foods grocery store at the N. Segoe Road side of Phase II and the recently approved 140-room Hotel Indigo at the Hilldale Way (east) side.

The three-story building now proposed will contain 55,000 square feet of commercial space and will largely occupy the same footprint as the earlier office/residential building. The developer envisions retail uses on the first floor of the building, with entrances shown along the south wall facing a private drive extending parallel to University Avenue between the Whole Foods store and the recently approved Hotel Indigo. The private drive, which is designed as a landscaped boulevard with head-in parking and sidewalks on both sides, is located on the fourth level of the five-story, 1,054-stall parking structure located at the center of the overall Phase II project. The retail entrances will be slightly elevated above the grade of the sidewalk paralleling the private drive, with accessible ramps and stairs shown to account for this grade separation. The remaining two floors will be used as office space, with an entrance to the office floors also on the southern façade of the building. At this time, no building entrances are shown along the University Avenue façade.

Architecture of the three-story retail/office building continues the modern aesthetic established with the initial approval of Phase II and carried through the adjacent Hotel Indigo. The proposed building will stand approximately 40 feet tall as measured from the private drive to the top of parapet, with additional height accounted for through the exterior foundation wall at the University Avenue base of the building and a mechanical penthouse, which will be located near the center of the roof. Due to the grade change present from west to east along University Avenue, as much as 20 feet of the foundation wall will be visible below the proposed building. The exterior of the proposed building will be comprised of brick and precast concrete panels, with a combination of concrete and metal panels reveals used to accent the facades. The mechanical penthouse will be enclosed by metal screen walls.

The building plans submitted show that landscaping for the proposed retail/office building will occur in accordance with a larger planting plan for Phase II, including the plaza space west of the Hotel Indigo and the east-facing entrance plaza for the Whole Foods. In general, staff finds the landscaping plans for the amended specific implementation plan to be acceptable.

An Inclusionary Dwelling Unit Plan (IDUP) and Land Use Restriction Agreement (LURA) were approved with the January 2007 Phase II development plans, which proposed up to 238 dwelling units in three components of the project. Subsequent to that approval and the recording of the LURA for Phase II, the applicant received approval to replace up to 90 of those 238 units with the Hotel Indigo and is now requesting to eliminate the 144 dwelling units originally identified for The Heights building. With the proposed amendment, only four dwelling units will remain in Phase II (four live-work townhouse units on Frey Street), therefore eliminating any affordable housing requirements for this phase. Staff recommends a condition of approval that the applicant work with the Community Development Block Grant Office and Planning Division to revise any Inclusionary Zoning-related documents for the Hilldale development prior to recording of the proposed Amended PUD-GDP-SIP.

The Urban Design Commission reviewed the plans for the proposed retail/ office complex on February 13, 2008 and recommended initial approval (see attached report).

EVALUATION & CONCLUSION

The Planning Division generally supports the proposed amendment to the Hilldale Planned Unit Development, which staff feels represents the continuing evolution of the shopping center's redevelopment first begun in 2005. The developers indicate that the recent downturn in the housing market impacted their decision to further reduce the housing stock in Phase II, which as noted earlier in this report, once included 238 dwelling units. Staff believes the inclusion of additional retail opportunities at Hilldale as well as the return of office uses to the site represents a furthering of the mixed-use aspects of the redevelopment project. The office uses proposed will expand the range of activities present at Hilldale, which already include a variety of shopping, dining and entertainment options as well as the limited residential component represented by the 40 townhouse units located along the N. Midvale Boulevard frontage of the center. The size and scale of the office use appears to be appropriate for the site and should not significantly impact the more substantial employment uses envisioned just west of Phase II across N. Segoe Road at the state-owned Hill Farms office property. Overall, the Planning Division believes that the Hilldale redevelopment project continues to conform to the community mixed-use and transit-oriented development land uses recommended for the site by the Comprehensive Plan.

Staff recommends, however, that the applicant explore the opportunity to enhance the entrance to the plaza between the hotel and proposed retail/office building from University Avenue. As

currently proposed, this entrance is from an enclosed stair tower. The earlier plans for this site called for an entrance into the 11-story Heights office/residential building along the north wall facing University Avenue. However, no such entrance is proposed with the new 3-story building. The Phase II plans call for a continuous building wall to extend along the eastern two-thirds of the block of University Avenue between Segoe Road and Hilldale Way, a distance of approximately 250 feet. Staff feels that it is essential for Phase II to better address University Avenue from both a use and aesthetic sense. The buildings that previously occupied the Phase II area of the Hilldale project, including the Humana office complex and Hilldale Theater, either sided onto or overlooked University Avenue and provided little or no meaningful connections between the buildings and the street, which generally resulted in an uninviting and underutilized streetscape.

The Planning Division feels that it is very important to create an inviting and well-utilized streetscape and plaza with the proposed retail/office building. Staff feels that these concerns can be addressed through the enhancement of the access to the plaza between the proposed retail/office and approved hotel from University Avenue by following the recommendations of the Urban Design Commission.

With the building plan changes noted above, the Planning Division believes that the proposed amendment can meet the standards for approval for planned unit developments.

RECOMMENDATION

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment 3336 & 3337, rezoning 702 N. Midvale Boulevard from PUD-GDP-SIP to Amended PUD-GDP-SIP, to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the specific implementation plan and materials be revised per Planning Division approval as follows:
 - a.) that the letter of intent be revised to clarify that office uses will be conducted on floors ~~two~~ through five, inclusive; the letter currently indicates "four through five";
 - b.) that the plans for the 3-story retail/office building proposed with this amendment be revised to show a usable entrance into the building from University Avenue;
 - c.) that the north elevation for this building and the exposed portions of the 1,054-stall parking structure be revised to show vision glass facing University Avenue.

3. That the conditions from the January 2007 ordinance approval and August 2007 final approval of the Phase II PUD-GDP-SIP including but not limited to the screening of rooftop mechanical equipment and adherence to the 65 decibel limit noted in MGO Section 24.08 for the Whole Foods Store, construction, operation and maintenance of the private open space at the southwestern corner of Frey Street and Sawyer Terrace, hours of construction and the project construction traffic management plan be carried through the approval of this Amended PUD-GDP-SIP except as modified herein.
4. That the applicant amend all appropriate Inclusionary Zoning documents for the Hilldale development, including the Inclusionary Dwelling Unit Plan and Land Use Restriction Agreement, prior to recording of the amended general development plan and specific implementation plan as required by the Community Development Block Grant Office and Planning Division.
5. That the applicant receive final approval of the specific implementation plan from the Urban Design Commission. Those final plans shall be modified to better address the access to the plaza from University Avenue.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
1 866 704 2315 Textnet

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dalley, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Manager
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

Financial Officer
Steven B. Danner-Rivers

DATE: February 12, 2008
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 702 North Midvale Boulevard Rezoning

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Revise utility sheets to include public sanitary and storm sewer (newly installed) and proposed pipe size, slope, invert of proposed connections to the City sanitary sewer.
2. Submit a PDF of each floor to the Lori Zenchenko (Lzenchenko@cityofmadison.com); so that a preliminary interior addressing plan can be developed. 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.
3. All work in the public right-of-way shall be constructed under Engineering Project No. 53B2137. Modify plan sheets for work on University Avenue to add the following note: "All work in the public right-of-way shall be constructed in accordance to plans issued by the City Engineer for Project 53B2137".
4. All work within University Avenue (CTH MS) right-of-way requires approval from Dane County.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.

Name: 702 North Midvale Boulevard Rezoning

General

- 1.1 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.

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- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 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.
- 1.6 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko zenchenko@cityofmadison.com or (608) 266-5952
- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for the _____ Impact Fee District for Lot(s) _____ of the _____ Plat/CSM. The current rate is \$ _____ /1000SF for a total of \$ _____. The Developer shall select one of the following two options for payment of these fees:

- 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
- 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off;
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
 - b) All information shall transmitted to Janet Dailey by e-mail at jdailey@cityofmadison.com, or on a CD to:

Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).

Right of Way / Easements

- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
 - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
 - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
 - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
 - b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.

- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along ____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.8 The Applicant shall make improvements to _____ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) _____
- 3.9 The Applicant shall make improvements to _____. The improvements shall consist of _____.
- 3.10 The approval of this Conditional Use 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.
- 3.11 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.
- 3.12 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.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.18. 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 or 266-4816.

Storm Water Management

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- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 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.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.
- 4.6 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 WDNR is required.
- 4.7 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.
- 4.8 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 Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:

- Detain the 2 & 10-year storm events.
- Detain the 2, 10, & 100-year storm events.
- Control 40% TSS (20 micron particle) off of new paved surfaces
- Control 80% TSS (5 micron particle) off of new paved surfaces
- Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
- Provide substantial thermal control.
- Provide oil & grease control from the first 1/2" of runoff from parking areas.
- 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.

Stormwater management plans shall be submitted and approved by City Engineering prior to sign-off.

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain 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
 - g) Lot numbers
 - h) Lot/Plat dimensions
 - i) Street names

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com. Include the site address in this transmittal.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of

Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicate a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 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, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:
 - a) Building footprints.
 - b) Internal walkway areas.
 - c) Internal site parking areas.
 - d) Lot lines and right-of-way lines.
 - e) Street names.
 - f) Stormwater Management Facilities.
 - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
 - a) SLAMM DAT files.
 - b) RECARGA files.
 - c) TR-55/HYDROCAD/Etc...
 - d) 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.

- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

Utilities General

- 5.1 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.

- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.

- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

Sanitary Sewer

- 6.1 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

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- 6.2 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 / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 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.



Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

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February 14, 2008

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **702 North Midvale Blvd. – Rezoning – PUD (SIP) to Amended PUD (GDP-SIP) – Replace 11- Story Residential/Office Building with 5 Story Office Building**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. 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'.
4. 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.
5. 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 Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

AGENDA # 4

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: February 13, 2008	
TITLE: 702 North Midvale Boulevard – PUD(SIP) Amendment #4. 11 th Ald. Dist. (04800)	REFERRED:	
	REREFERRED:	
	REPORTED BACK:	
AUTHOR: Alan J. Martin, Secretary	ADOPTED:	POF:
DATED: February 13, 2008	ID NUMBER:	

Members present were: Lou Host-Jablonski, Marsha Rummel, Todd Barnett, Bruce Woods, Richard Slayton, John Harrington, Bonnie Cosgrove, Richard Wagner and Jay Ferm.

SUMMARY:

At its meeting of February 13, 2008, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a PUD(SIP), Amendment #4 located at 702 North Midvale Boulevard. Appearing on behalf of the project were Adam Fink, Scott McLamore, Cliff Goodhart, Paul Raisleger and Steve Uhlarik, all representing Joseph Freed & Associates; Mike Sturm, Ken Saiki Design; and Ald. Tim Gruber, District 11. The project as presented featured the following:

- Modifications to the building's overall bulk and mass to reduce from previously proposed 5-story mixed-use building featuring service retail on the first floor with office development on the upper floors is now proposed at 3-stories with first floor retail.
- The building's façade features 6 different types of sun shading on the building in order to address LEEDS certification requirements.
- The building's façade also features an enhanced degree of articulation and detail in the form of vertical elements including sun screens, enhanced balcony details, including an architectural overhang added to the penthouse level with a more urban in appearance eliminating the use of EIFS in favor of an all masonry/brick/precast building and horizontal sun screens.
- The building's length has been reduced to create a raised outdoor space/terrace along University Avenue. The University Avenue façade/lower wall incorporates a trellis feature in conjunction with the detailing on the adjacent Whole Foods site.
- The lower level parking area has been reconfigured to allow for the placement of trees into tree islands combined with a reduction in below grade parking to allow for soils beneath the plantings.

Following a review of the lighting and photometric plan the Commission noted the following:

- Details on a stair connection to University Avenue appeared to consist of only of the enclosed stair tower as previously proposed.
- The enclosed stair tower doesn't communicate that it allows access to the upper public plaza, doesn't communicate that connection exists, handsome but doesn't work.

- The overall design intent needs to be worked out, adding more glass to stair tower is not enough, look at opening the railing at the plaza area to provide visual queue to its location.
- Stair tower height creates a disconnect that indicates that it provides public access to the plaza.
- Look at eliminating the enclosed stair tower for a more open stairway.

Ald. Gruber noted his concerns previously distributed to the Commission in a memo. He spoke on the lack of windows and the blankness of the wall adjacent to the building's façade along University Avenue. Ald. Gruber noted that the current version did provide some address about the blank appearance of the lower level of the building façade at the street. He remarked on the lack of an entrance to the building from the sidewalk on University Avenue noted that the entrance could be from the proposed stair tower if the design could be improved so that it clearly is a building entrance not just a stair tower. Staff noted to the Commission its previously stated concerns relevant to the lack of a connection to the street abutting University Avenue consistent with Ald. Gruber's comments.

Additional comments by the Commission were:

- Based on new design involving the elimination of lower level parking, why not develop usable space, Spanish steps, an alternative entry treatment to the upper plaza; replace the tower with something that provides a connection to the street. As an option introduce a multi-terracing plaza to bring the eye in and pattern with that of the Whole Foods entry.
- The overhang on the penthouse and sun shading adds a lot.

ACTION:

On a motion by Barnett, seconded by Woods, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a vote of (9-0). The motion for initial approval required address of the above and the following:

- The design needs to be modified and come back in address of areas that relate to the upper courtyard and interface with the sidewalk and street along University Avenue.
- Provide details on how changes to the lower level parking and how it works with previous approved development in adjacent phases, as well as internally on the site.
- Look at stair tower and how it works to provide a better connection to the street and the upper open space plaza.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 6, 6, 6, 6, 6.5, 6.5 and 7.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 702 North Midvale Boulevard

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	6	6	6	6	-	5	7	6
	6	6	6	-	-	5	6	6
	-	-	-	-	-	-	-	6
	-	-	-	-	-	-	-	5
	-	-	-	-	-	-	-	6.5
	5	6	6	6	-	5	5	6
	-	-	-	-	-	-	-	6.5
	6	7	7	-	-	6	7	7

General Comments:

- Stairs off of University need to be worked on.
- University Avenue side is deadened by this proposal. This aspect needs real work. Building architecture is improved.
- Stair tower “read” needs to be developed.
- Improve connectivity to the street. Otherwise, great responses to prior comments.
- Address stair tower and consider new treatment for access to upper level courtyard, retail and office.
- Nice improvements to landscape. Stronger linkage to University Avenue is desired.
- Please be upfront when making a drastic change to site plan (eliminating parking garage).