

CITY OF MADISON

Proposed Conditional Use

Location: 8501 Excelsior Drive

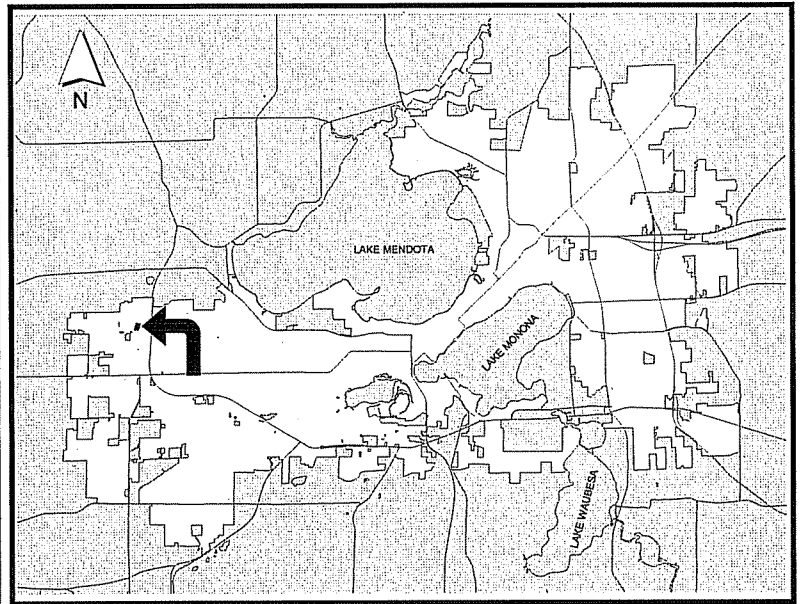
Project Name: UW Clinic Parking

Applicant: UW Hospitals & Clinics/
Mary Fritsch - The Gialamas Company

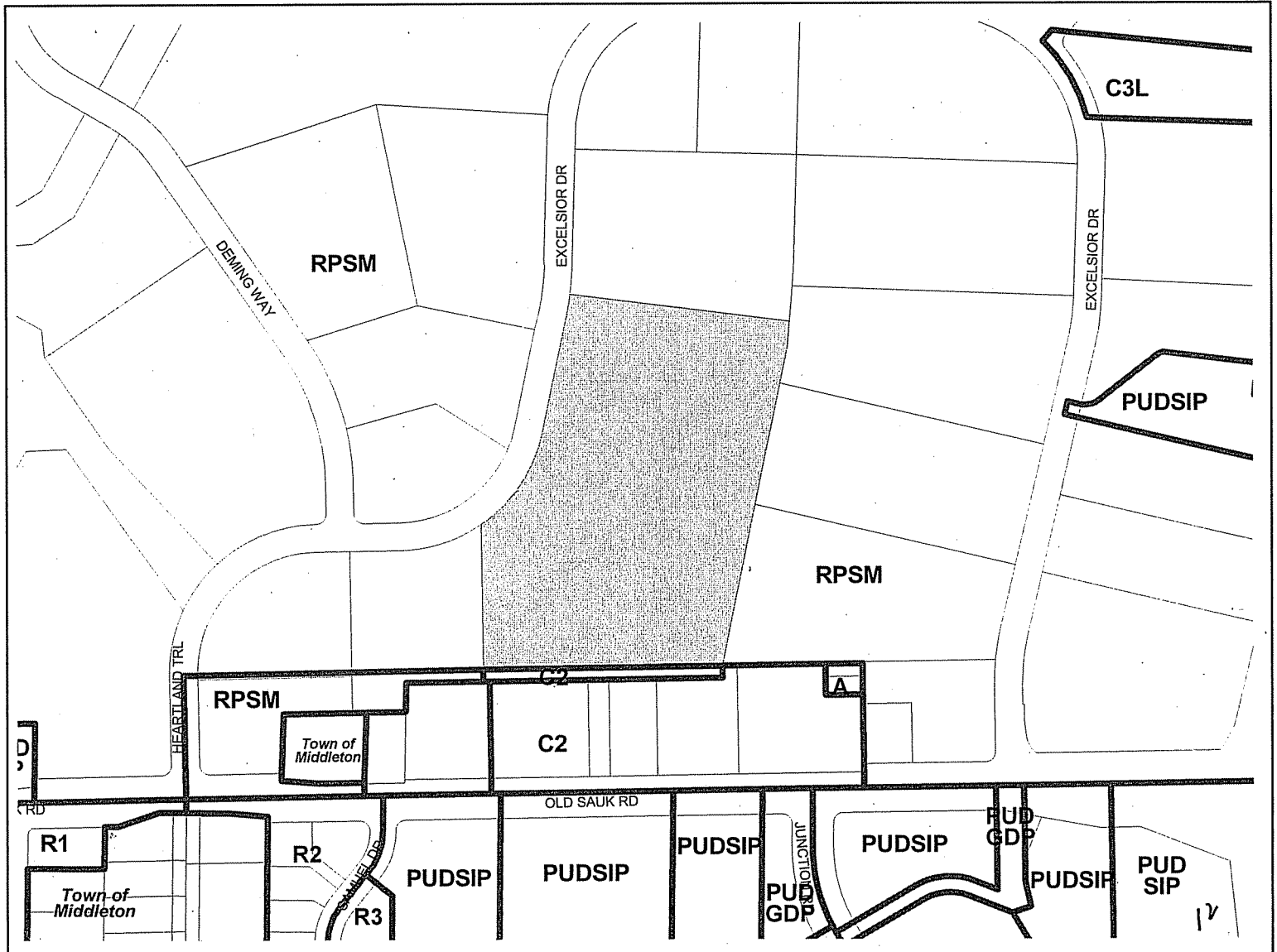
Existing Use: Clinic and Surface Parking

Proposed Use: Accessory Parking Located
Elsewhere

Public Hearing Date: _____
Plan Commission 03 April 2006



For Questions contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635

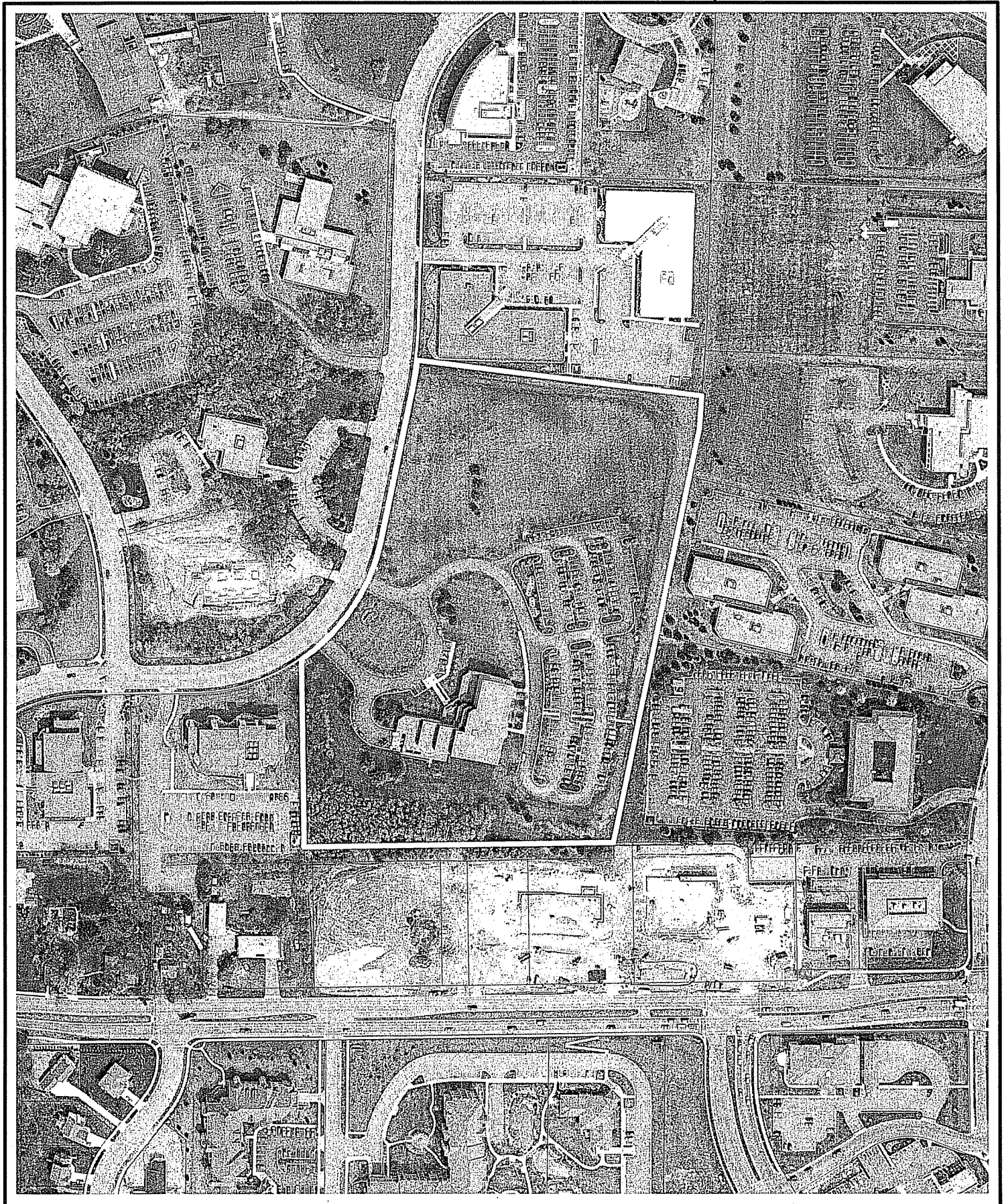


8501 Excelsior Drive

100 0 100 Feet



Date of Aerial Photography - April 2003



LAND USE APPLICATION

Madison Plan Commission

215 Martin Luther King Jr. Blvd; Room LL-100
 PO Box 2985; Madison, Wisconsin 53701-2985
 Phone: 608.266.4635 | Facsimile: 608.267.8739

- The following information is required for all applications for Plan Commission review.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at www.cityofmadison.com/planning/plan.html
- All zoning application packages should be filed directly with the Zoning Administrator's desk.
- All applications will be reviewed against the applicable standards found in the City Ordinances to determine if the project can be approved.

FOR OFFICE USE ONLY:	
Amt. Paid \$ <u>1150⁰⁰</u>	Receipt No. <u>68528</u>
Date Received <u>2-22-06</u>	
Received By <u>RT</u>	
Parcel No. <u>0708-154-0311-1</u>	
Aldermanic District <u>9, Paul Skidmore</u>	
GQ _____	
Zoning District <u>RPSM</u>	
For Complete Submittal	
Application <input checked="" type="checkbox"/>	Letter of Intent <input checked="" type="checkbox"/>
IDUP <u>N/A</u>	Legal Descript. <input checked="" type="checkbox"/>
Plan Sets <input checked="" type="checkbox"/>	Zoning Text <u>N/A</u>
Alder Notification <input checked="" type="checkbox"/>	Waiver _____
Ngbrhd. Assn Not. <input checked="" type="checkbox"/>	Waiver _____
Date Sign Issued _____	

1. Project Address: 8501 Excelsior Drive **Project Area in Acres:** 7.4 acres

Project Title (if any): _____

2. This is an application for: (check at least one)

<input type="checkbox"/> Zoning Map Amendment (check only ONE box below for rezoning and fill in the blanks accordingly)	
<input type="checkbox"/> Rezoning from _____ to _____	<input type="checkbox"/> Rezoning from _____ to PUD/PCD-SIP
<input type="checkbox"/> Rezoning from _____ to PUD/PCD-GDP	<input type="checkbox"/> Rezoning from PUD/PCD-GDP to PUD/PCD-SIP
<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Demolition Permit
<input type="checkbox"/> Other Requests (Specify): _____	

3. Applicant, Agent & Property Owner Information:

Applicant's Name: Old Sauk Trails Limited Partnership and Gialamas Holdings LLC

Street Address: 8020 Excelsior Drive City/State: Madison, WI Zip: 53717

Telephone: (608) 836-8000 Fax: (608) 836-7863 Email: _____

Project Contact Person: Mary Fritsch/Andy Van Haren Company: The Gialamas Company

Street Address: 8020 Excelsior Drive City/State: Madison, WI Zip: _____

Telephone: (608) 836-8000 Fax: (608) 836-7863 Email: mary.f@gialamas.com or andy@gialamas.co

Property Owner (if not applicant): University of Wisconsin Hospitals and Clinics Authority

Street Address: 600 Highlands Avenue City/State: Madison, WI Zip: 53792-8360

4. Project Information:

Provide a general description of the project and all proposed uses of the site: Multi-story office building to allow off-site parking for the UW Building located at 8501 Excelsior Drive.

Development Schedule: Commencement N/A Completion N/A

CONTINUE →

5. Required Submittals:

- Site Plans** submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:
 - **Seven (7) copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
 - **Seven (7) copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
 - **One (1) copy** of the plan set reduced to fit onto 8 ½ inch by 11 inch paper
- Letter of Intent: Twelve (12) copies** describing this application in detail but not limited to, including: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.
- Legal Description of Property:** Lot(s) of record or metes and bounds description prepared by a land surveyor.
- Filing Fee:** \$ 1,150 See the fee schedule on the application cover page. Make checks payable to: *City Treasurer.*

IN ADDITION, THE FOLLOWING ITEMS MAY ALSO BE REQUIRED WITH YOUR APPLICATION; SEE BELOW:

- For any applications proposing demolition of existing (principal) buildings, photos of the structure(s) to be demolished shall be submitted with your application. Be advised that a *Reuse and Recycling Plan* approved by the City's Recycling Coordinator is required to be approved by the City prior to issuance of wrecking permits.
- A project proposing **ten (10) or more dwelling units** may be required to comply with the City's Inclusionary Zoning requirements outlined in Section 28.04 (25) of the Zoning Ordinance. A separate **INCLUSIONARY DWELLING UNIT PLAN** application detailing the project's conformance with these ordinance requirements shall be submitted concurrently with this application form. Note that some IDUP materials will coincide with the above submittal materials.
- A *Zoning Text* must accompany **all** Planned Community or Planned Unit Development (PCD/PUD) submittals.

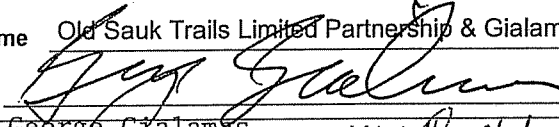
FOR ALL APPLICATIONS: All applicants are required to submit copies of all items submitted in hard copy with their application (including this application form, the letter of intent, complete plan sets and elevations, etc.) as **INDIVIDUAL** Adobe Acrobat PDF files compiled either on a non-returnable CD to be included with their application materials, or in an e-mail sent to pcapplications@cityofmadison.com. The e-mail shall include the name of the project and applicant. Applicants who are unable to provide the materials electronically should contact the Planning Unit at (608) 266-4635 for assistance.

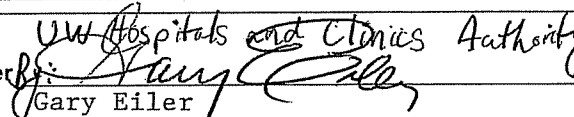
6. Applicant Declarations:

- Conformance with adopted City plans:** Applications shall be in accordance with all adopted City of Madison plans:
 - *The site is located within the limits of* comprehensive plan *Plan, which recommends:*
 - employment *for this property.*
- Pre-application Notification:** Section 28.12 of the Zoning Ordinance requires that the applicant notify the district alder and any nearby neighborhood or business associations by mail no later than **30** days prior to filing this request:
 - *List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices:*
 - Paul Skidmore, Alderperson, Date Notice Sent January 20, 2006
 - If the alder has granted a waiver to this requirement, please attach any such correspondence to this form.*
- Pre-application Meeting with staff:** Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning Counter and Planning Unit staff; note staff persons and date.
 - Planner* Tim Parks *Date* 02/09/06 | *Zoning Staff* Matt Tucker *Date* 02/09/06

The signer attests that this form has been completed accurately and all required materials have been submitted:

Printed Name Old Sauk Trails Limited Partnership & Gialamas Holdings LLC Date 2/20/06

Signature  Relation to Property Owner Contract Purchaser

Authorizing Signature of Property Owner  Date 2/20/06

Senior Vice President & Chief Financial Officer

**Letter of Intent
Conditional Use Application
8501 Excelsior Drive
Madison, Wisconsin 53717**

This Letter of Intent is to serve as background and resolve any zoning issues that may currently exist at 8501 Excelsior Drive, Madison, Wisconsin. **Please note, we are not building or moving anything at this time as a result of this Conditional Use Application.** Rather, we readjusting the lot line based on 2005 warranty deeds exchanged between Old Sauk Trails Limited Partnership and Gialamas Holdings and the University of Wisconsin Hospital and Clinics which created a non-conforming zoning issue.

The parking located north of the common lot line between the Gialamas parcel and the UW Hospital and Clinic parcel is considered an accessory off-site parking lot (a conditional use). We are requesting approval of such conditional use and have Planned Commercial site administratively approved by the Zoning Administrator, City Engineer and Traffic Engineering Departments.

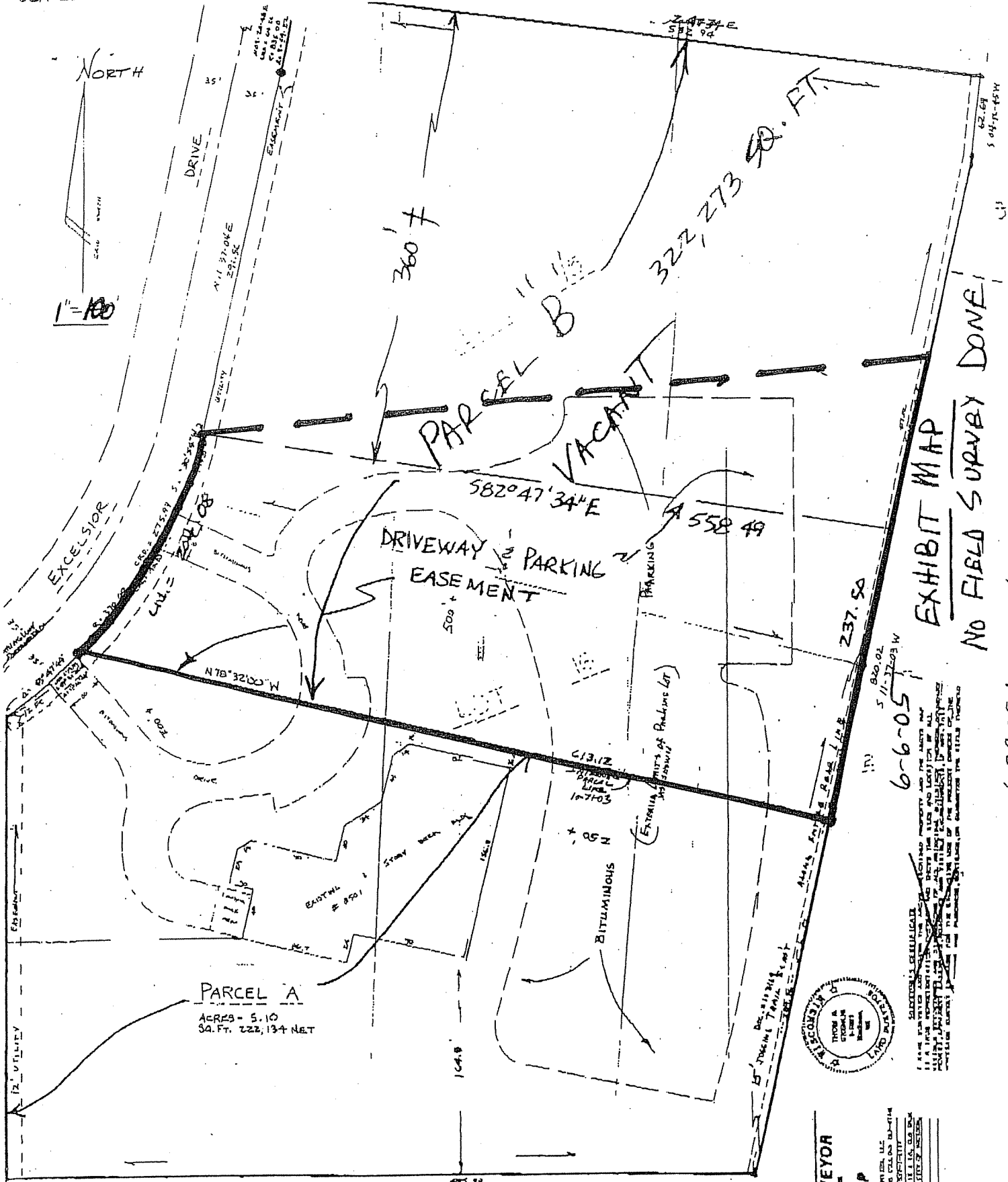
In the interim, both parties have deeded land (Parcel B) to adjust the common lot line further north so that the Gialamas parcel is completely undeveloped and no parking lot, or building exists on this parcel. The parcel meets the requirement of being 100 feet in width along Excelsior Drive and one acre in area, in this case, has nothing on it.

Further, a copy of the Easement For Access and Parking is also attached for your review which should satisfy any accessory parking issues that may occur once the parcels become separated and deeded back to each respective party after conditional use approval has been received.

This Letter of Intent is our understanding of the issues as they have come forth from the City of Madison Planning and Zoning Departments.

Submitted this 21st day of February, 2005.

Applicant: Old Sauk Trails Limited Partnership and Gialamas Holdings LLC



6-29-05 ADD PKESHT



ED LAND SURVEYOR
WISCONSIN LAND SURVEYOR
No. 11111

RYEY PLAT MAP

THIS MAP WAS PREPARED BY THE SURVEYOR AND THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE LAND AND HAS FOUND THAT THE INFORMATION ON THIS MAP IS CORRECT AND ACCURATE.

1/4" scale for the map
1" = 100 feet
1/4" = 25 feet
1/8" = 12.5 feet
1/16" = 6.25 feet

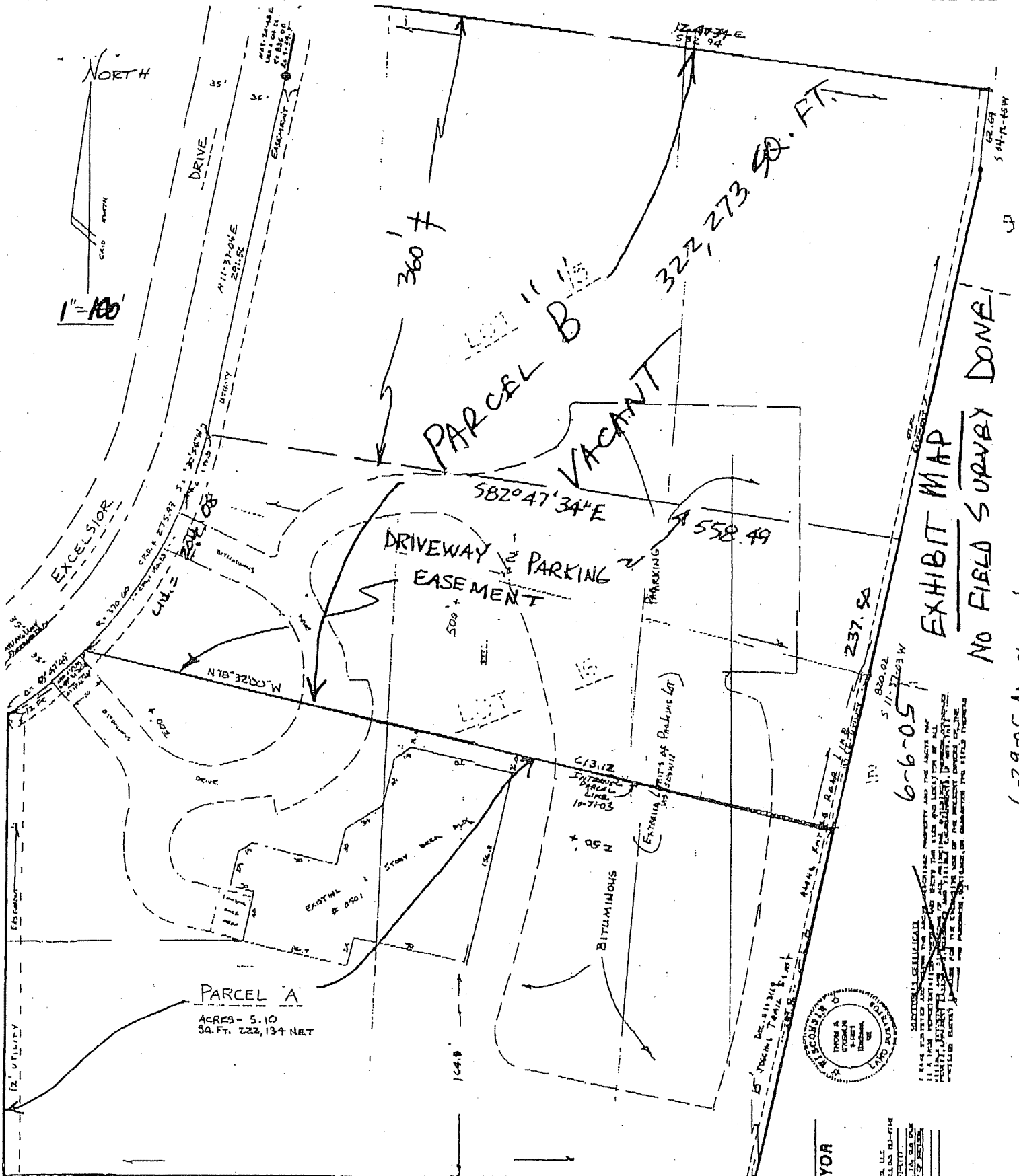


EXHIBIT MAP
NO FIELD SURVEY DONE!

6-29-05 ADD PK EIGHT

GRENLE
ED LAND SURVEYOR
BYEY PLAT MAP

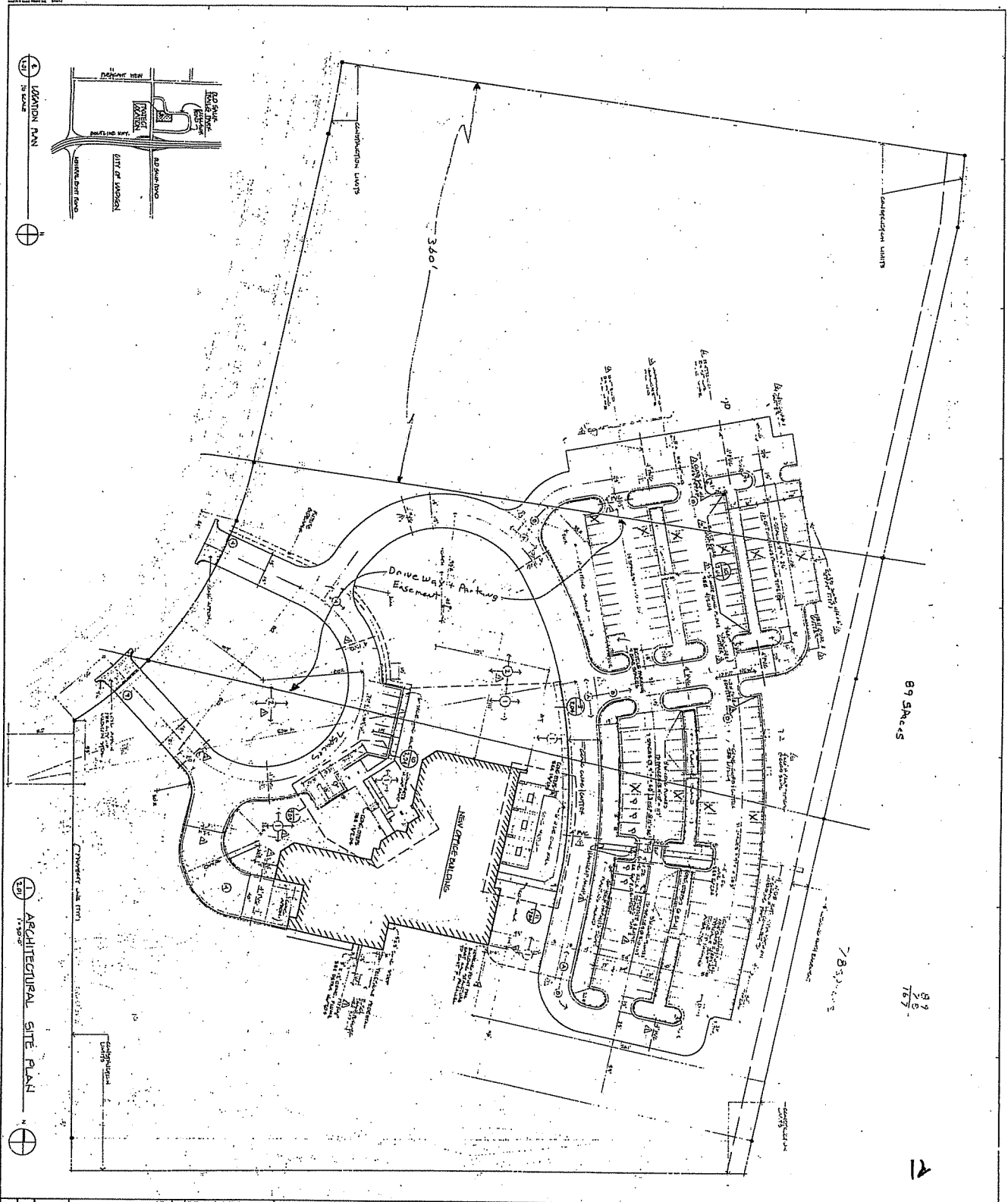
STATE OF MICHIGAN
COUNTY OF WASHTENAW

6-6-05

6-6-05

NO FIELD SURVEY DONE!

DATE	BY	CHK
10/15/87	PLS	PLS
10/15/87	PLS	PLS



PLS Peter Lawson & Paulsen, Inc. Architects 3501 Excelsior Drive Madison, WI 53714		License No. 1000000000 Registration No. 1000000000 Expiration Date 10/15/87
NOTES 1. THIS PLAN IS TO BE USED IN CONJUNCTION WITH THE SITE SPECIFICATIONS AND THE GENERAL NOTES TO THE CONTRACT.		
LEGEND (Symbol) EXISTING (Symbol) PROPOSED		
SCALE 1" = 30'-0"		
DATE 10/15/87		
PROJECT UWC Records 3501 Excelsior Drive Madison, WI 53714		
ARCHITECTURAL SITE PLAN 2.01		



EASEMENT FOR ACCESS AND PARKING

DANE COUNTY REGISTER OF DEEDS

DOCUMENT # 4099903

08/25/2005 03:24PM

Trans. Fee: Exempt #:

Rec. Fee: 17.00 Pages: 4

001753

This Easement is granted by and between Old Sauk Trails Park Limited Partnership, a Wisconsin limited partnership and Gialamas Holdings LLC, a Wisconsin limited liability company (together referred to as "Sellers") and University Hospitals and Clinics Authority ("Buyer").

WHEREAS, Sellers are the owners, as tenants-in-common, of Lots 15 and 16, Old Sauk Trails Park, First Addition, the address of which is 8501 Excelsior Drive, Madison, Wisconsin; and

WHEREAS, Buyer is purchasing from Sellers a part of said Lot 16 which is described as follows:

Beginning at the southwest corner of Lot 16, Old Sauk Trails Park, First Addition; thence N0°47'38"W 364.31 feet to Excelsior Drive; thence along said Excelsior Drive on a curve to the left of radius 370 feet and long chord of N49°31'24"E 75.93 feet; thence S78°32'E 613.12 feet to the easterly line of Lot 16; thence S11°37'03"W 289.36 feet to the southeast lot corner; thence S89°12'22"W 595.38 feet to the point of beginning, in the City of Madison, Dane County, Wisconsin ("Buyer's Parcel"); and

Return to: The Gialamas Co., Inc. 8020 Excelsior Drive Ste 300 Madison WI 53717-1998 PIN: 251-0708-154-0311-1

WHEREAS, the Buyer's Parcel is improved with a four-story building ("Building") for which the City of Madison currently requires that there be at least 170 parking spaces available for use by occupants of the Building; and

WHEREAS, some of the access drives and 170 required parking spaces are located on that part of said Lots 15 and 16 which is not being purchased; and

WHEREAS, Sellers have agreed to grant to Buyer access to, and the exclusive use of, the required additional parking spaces on Sellers' property;

NOW, THEREFORE, in consideration of these premises and of the purchase of the Buyer's Parcel from Sellers, the Sellers hereby grant, convey and create the following easements:

1. Shared drive. A non-exclusive easement for ingress and egress over all the paved drive which is identified as Parcel A on the attached Exhibit.

2. Dedicated Parking. An exclusive easement for use of the paved drive and surface parking spaces on Sellers' property identified as Parcel B on the attached Exhibit. Parcels A and B are more particularly described as:

Commencing at the Northeast corner of Lot 15, Old Sauk Trails Park First Addition; thence S 4°16'45" W 62.69 feet; thence S 11°37'03" W 293.17 feet to the point of beginning; thence S 11°37'03" W 237.50 feet; thence N 78°32'00" W 613.12 feet to Excelsior Drive; thence along a curve to the left of radius 370.0 feet and long chord of N 27°37'32" E 204.08 feet to the point of curve; thence S 82°47'34" E 558.49 to the point of beginning.

3. Shared Parking. A non-exclusive easement for use of the surface parking spaces which are identified as Parcel C on the attached Exhibit.

4. Maintenance and insurance. As a condition of Sellers' grant herein, Buyer shall maintain Easement Parcels A, B and C in the same condition as the drives and parking spaces on Buyer's Parcel and shall indemnify and defend Sellers from any claim, cause of action or damages arising from Buyer's use of the

Handwritten signature and initials

Easement Parcels. As a further condition of Sellers' grant, Buyer shall keep the Easement Parcels insured against damages to property or injuries to persons in an amount not less than \$500,000 per occurrence and \$1,000,000 aggregate coverage. Seller shall indemnify and defend Buyer from any claim, cause of action or damages arising from Sellers' use of Parcel C and keep Parcel C insured against damages to property or injuries to persons in an amount not less than \$500,000 per occurrence and \$1,000,000 aggregate coverage.

5. **Alteration of Easement Parcels.** Sellers reserve the right to alter the location of the drives or parking spaces described on the attached Exhibit on the condition that the number of parking spaces available for Buyer's exclusive use on Sellers' Parcel, must always equal or exceed the lesser of 92 or the number of spaces needed to meet the City of Madison's minimum parking requirements for the Building (excluding any expansion of the Building which may occur after the date hereof).

6. **Termination of Easements.**

(A) **Dedicated Parking.** Sellers may terminate part or all of the Dedicated Parking easement described in paragraph 2, above, upon the recording of a sworn statement from a Registered Land Surveyor, licensed by the State of Wisconsin, stating that the drives or parking spaces located on the part of the Dedicated Parking easement being terminated are not then needed to meet the the City of Madison's minimum parking requirements for the Building (excluding any expansion of the Building which may occur after the date hereof).

(B) **Shared Parking.** Buyer or Sellers may terminate the Shared Parking easement described in paragraph 3 by giving at least sixty (60) days written notice to the other party.

In witness whereof, the undersigned owners of the parcels described herein have executed this document intending that the easements, covenants, conditions and restrictions created by this Agreement shall run with the land and be binding upon, and inure to the benefit of, the owners, occupants and guests of the respective parcels, their heirs, successors and assigns.

Old Sauk Trails Park Limited Partnership

Old Sauk Trails Park Development Company, gen'l partner

By: George Gialamas 6-30-05
George Gialamas, President [date]

Gialamas Holdings LLC

By: George Gialamas 6-30-05
George Gialamas, [date]
Chief Administrative Member

STATE OF WISCONSIN)
: ss.
COUNTY OF DANE)

Personally came before me this 30th day of June, 2005, the above named George Gialamas, to me known to be the person who signed the foregoing instrument and acknowledged the same.

Richard E. Pegg
Richard E. Pegg
Notary Public, State of Wisconsin
My Commission is permanent

This instrument drafted by:
Richard E. Pegg, Esq

The following map may contain unreadable text. The document grantor hereby advises viewers to ignore any illegible printed text on this map.

Bryon Votava Date: 7-7-2005

Bryon Votava, First American Title Insurance Company, agent for grantor

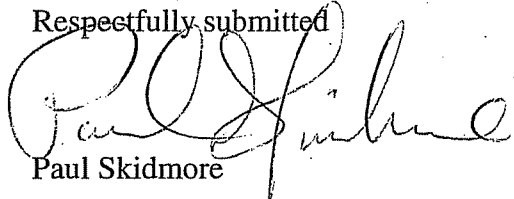
Paul Skidmore, Alder
District 9
City of Madison, Wisconsin

February 20, 2006

Land Use Application
Madison Plan Commission
215 Martin Luther King Jr. Boulevard
Room LL-100
P.O. Box 2985
Madison, WI. 53701-2985

I have reviewed the proposed conditional use application for 8501 Excelsior Drive submitted by The Gialamas Company. The conditional use application includes a revised property line and cross easement and is consistent with the rest of the development in Old Sauk Trails Park, therefore, I am comfortable in supporting it at this time.

Respectfully submitted



Paul Skidmore