

**PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
November 21, 2005**

RE: I.D. # 02139: Zoning Map Amendment I.Ds. 3138 & 3139, rezoning One University Square from C2 (General Commercial District) to PUD-GDP-SIP

1. Requested Actions: Approval of a request to rezone One University Square from C2 (General Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP). The applicant is requesting approval of a general development plan to allow future development of a mixed-use development that will contain a 350-unit apartment tower, 130,000 square feet of retail space and a 225,000 square-foot University of Wisconsin student services center tower upon demolition of the existing one-story commercial center. The specific implementation plan offered at this time will provide zoning continuity for the existing building until demolition commences next summer.
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; Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits.
3. Report Drafted By: Timothy M. Parks, Planner.

GENERAL INFORMATION

1. Applicant: Susan Springman, Executive Management, Inc.; 2901 International Lane; Madison.

Property owners: Madison Real Estate Properties (c/o EMI) and the University of Wisconsin.

Agent: Rick Gilbertson, Potter Lawson, Inc.; 15 Ellis Potter Court; Madison.
2. Development Schedule: The applicants will commence demolition in June 2006, with a schedule completion of the project scheduled for September 2009.
3. Location: Approximately 3.4 acres bounded by Murray (East Campus) Mall on the west, University Avenue on the north, N. Lake Street on the east and W. Johnson Street on the south, Aldermanic District 8; Downtown Design Zone 2; Madison Metropolitan School District.
4. Existing Conditions: The site consists of four one-story commercial buildings organized around a central courtyard, with a variety of retail and service providers including the

University Square Theatres, Paison's restaurant and many others. A metered public surface parking lot (Lot 47) is located between the western edge of the site and the western wall of the commercial center.

5. **Proposed Land Use:** The existing buildings will remain between this approval and demolition, which will commence next summer. Following demolition, the site will be redeveloped with a mixed-use development containing a 350-unit apartment tower, 130,000 square feet of retail space on the first two floors above grade and a 225,000 square-foot University of Wisconsin student services center tower. The project will provide structured parking for approximately 425 automobiles.
6. **Surrounding Land Use and Zoning:** The properties immediately surrounding the subject are largely included in the University of Wisconsin Campus. The Fluno Center and Southeast Campus Parking Ramp are located east of the site; the Peterson Office Building is located to the northwest; Vilas Communications Hall is located to the west; Ogg Residence Hall and Gordon Commons are located to the south. A row of four privately-held commercial buildings are located east of the Peterson Office Building on the north side of University Avenue opposite the site in C2 zoning, including Brothers bar and The Red Shed bar.
7. **Adopted Land Use Plan:** This area is identified as "Regional Commercial, Mixed-Use District" according to the 1988 Land Use Plan. The Draft Comprehensive Plan includes the site in the framework of the larger, surrounding University campus and provides a secondary recommendation for a future transit-oriented development site.
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 demolition standards of Section 28.04 (22) and the Planned Unit Development District standards. In addition, the site is located in Downtown Design Zone 2, which includes the following specific criteria for consideration of planned unit developments:

(e) Lot Area, Lot Width, Height, Floor Area Ratio, Yard, Usable Open Space Requirements, Signs And Off-Street Parking Requirements For Planned Unit Development Districts With Residential Components That Are Located In Downtown Design Zones. Requirements other than those specifically listed below shall be consistent with the Exterior and Interior Design

Criteria for Planned Unit Development Districts with Residential Components in Downtown Design Zones (Design Criteria) adopted by resolution by the Common Council. The required setbacks for all yards in Planned Unit Development Districts with residential components in Downtown Design Zones shall not apply to any parking structure that is constructed entirely below the existing ground level, which shall mean the natural or existing ground level prior to construction. All such requirements are made a part of an approved recorded precise development plan agreed upon by the owner and the City and shall be, along with the recorded plan itself, construed to be an enforced as a part of this ordinance.

Downtown Design Zone 2:

- a. **Height.** No building or structure shall have more than ten (10) stories unless an applicant meets the additional criteria for up to two (2) additional stories, as set out in the Design Criteria. (*excerpted*)
- b. **Floor Area Ratio.** The floor area ratio shall not exceed 6.0.
- c. **Yard Requirements**

Front Yard – The front yard shall be a minimum of fifteen (15) feet.

Side Yard – For lots greater than or equal to sixty (60) feet wide, the side yards shall be a minimum of twelve (12) feet on one side and ten (10) feet on the other side.
[None of the other criteria for side yards in this district apply to this site/ project.]

Rear Yard – The rear yard shall be a minimum of twenty-five (25) feet.

PLAN REVIEW

The applicants are requesting approval of planned unit development zoning for 3.4 acres of land bounded on the west by Murray Street (East Campus) Mall, University Avenue on the north, N. Lake Street on the east and W. Johnson Street on the south. The site is developed with the approximately 70,000 square-foot University Square commercial center, which was first developed in the mid-1970s. The center is comprised of four buildings organized around a central courtyard and joined by a central roof system and includes a number of small retail and service uses as well as the University Square Theatre. The architecture of the buildings features white, stucco-like finished walls and blue metal standing-seam roofs evocative of the period the site was developed in its current iteration. Most of the center's users are oriented on the central courtyard, resulting in building walls facing the perimeter streets that lack openings to give the center street presence. The remainder of the site includes the University of Wisconsin's Lot 47 surface parking lot, which is located adjacent to the western wall of the center.

The area immediately surrounding the site is primarily developed with University of Wisconsin facilities, including Gordon Commons and Ogg Hall across W. Johnson Street, the Fluno Center and Southeast Campus Parking Ramp east across N. Lake Street, Vilas Communications Hall

west of Lot 47, and the Peterson Office Building to the northwest across University Avenue. The remainder of the University Avenue frontage opposite the subject site is occupied by four buildings hosting a variety of commercial uses, zoned C2, including two bars located at the corner of N. Lake Street.

As noted in the “General Information” section of the report, the subject site is identified as “Regional Commercial, Mixed-Use District” according to the 1988 Land Use Plan, reflecting the largely student-serving commercial uses located on the site. The Draft Comprehensive Plan folds the University Square site into the “Campus” designation for the surrounding University campus and includes a note proposing a future transit-oriented development for the property.

The applicant wishes to demolish the existing commercial center to allow development of a new mixed-use facility that is proposed to include a 350-unit apartment tower, 130,000 square feet of retail space on the first two floors above grade and a 225,000 square-foot University of Wisconsin student services center tower, all with structured parking for approximately 425 automobiles.

The implementation of the proposed redevelopment of the site requires planned unit development zoning, which will be accomplished in two distinct steps. The applicants are requesting approval of a general development plan (GDP) with this application that will set forth a conceptual framework for the proposed mixed-use development described above, with a specific implementation plan (SIP) to be submitted this winter that will contain the exact architectural and site development details routinely reviewed with such a plan. A “PUD-GDP” zoning designation does not provide specific zoning criteria for a property (uses, bulk, etc.), requiring that a “PUD-SIP” designation be included with this request to provide zoning continuity for the existing commercial center until demolition of the center commences in June 2006. The zoning text submitted with this request proposes uses permitted in the current underlying C2 zoning of the property. No details of the proposed mixed-use development are included with the specific implementation plan approval requested.

Specific details of the proposed mixed-use development will not be finalized until an amended SIP is offered for review in coming months (expected in early 2006). The GDP submitted envisions a high-profile two-story building occupying most of the site, with first floor retail uses occupying the majority of the first floor, with retail entrances proposed on portions of all four elevations of the building. Two apartment tower entry lobbies from University Avenue and N. Lake Street and a lobby for the University student services tower off Murray Mall are proposed. The first floor will also accommodate an L-shaped loading dock and service area with entry from W. Johnson Street and N. Lake Street as well as ramps to the parking levels. The second floor of the “base” building will include additional retail spaces on the University Avenue and Murray Mall sides, with a two-level parking facility occupying the southeastern corner of the floor. The

remainder of the parking for the development will be provided in a one-level underground facility that will occupy most of the building's basement, save for small mechanical rooms to be located in the southeastern corner. The parking level plans include designated areas for moped and bicycle parking, though specific numbers for such parking will not be finalized until the amended SIP is offered prior to construction.

The first of two towers proposed will rise nine stories above the base building (11-story total building height) and will contain approximately 225,000 square feet of space to be occupied by a number of UW student services. This tower will begin at the southwestern corner of the base building and extend above most of the W. Johnson Street façade of the building. Plans currently propose 60,500 square feet of space on the first two floors of the tower to be used as office space for various student activity organizations. The four middle floors of the tower will be occupied by University Health Services, which proposes to relocate from its current location at University Avenue and Breese Terrace. The top three floors will serve as office space for UW Student Services. It is anticipated that UW will own this tower following its completion under a condominium agreement the developer has arranged with the University.

The second tower will be a ten-story L-shaped building (12-story total building height) that will extend along the N. Lake Street and University Avenue elevations. The applicant estimates that the tower will contain 435,000 square feet of space and approximately 350 dwelling units with 1,010 beds. While a specific unit mix has not been identified, the developer envisions a mix of one, two, three and four bedroom units. Similarly, the developer envisions some mixture of onsite amenities for the apartment tower tenants, including laundry facilities, possible balconies for some of the units and access to a rooftop greenspace the developer is considering for the roof of the base building.

The applicant has submitted an Inclusionary Dwelling Unit Plan (IDUP) requesting a waiver from the Zoning Ordinance requirements for the apartment tower at the GDP level. The Community Development Block Grant Office indicates that discussions about the requested waiver are ongoing and that an IDUP or waiver must meet the terms of the ordinance before the Amended SIP for construction is accepted.

Another facet of the development of the property includes significant streetscape improvements to the rights of way of N. Lake Street, W. Johnson Street and University Avenue. Though details will be forthcoming on the Amended SIP, the developer proposes installation of raised planters in these rights of way that will both substantially enhance the streetscapes adjacent to the site and aid in correcting grade changes that occur along the project perimeter, particularly along University and Lake. Approval of these streetscape improvements in the right of way will require approval of the City Forester and the Real Estate Section as privileges in the public way.

The plan will also implement the University's plans to convert the remaining sections of Murray Street between State Street and Regent Street into a non-vehicular mall connecting the University's Memorial Union and Red Gym on the north with the Kohl Center on the south. Most of the Lot 47 parking lot is located in the former right of way of the 300-block of N. Murray Street and will be replaced by the continuation of the mall, which is being constructed in segments typically coinciding with other University projects nearby. The conceptual plans call for a linear space between the new University Square and Vilas Communications Hall to be buffeted by raised planters landscaped with a variety of deciduous shade trees and perennials and a circular pavement feature adjacent to the proposed entrance to the student services tower.

EVALUATION

The applicant is requesting the following three land use approvals from the City of Madison:

1. Approval to demolish the existing approximately 70,000 square-foot University Square commercial center consisting of four buildings organized around a central courtyard;
2. Approval of PUD-GDP zoning for the property and approval of a redevelopment plan for the site that proposes a 350-unit apartment tower, 130,000 square feet or retail space on the first two floors above grade, a 225,000 square-foot University of Wisconsin student services center tower, and structured parking for approximately 425 automobiles subject to the requirement that an Amended PUD-SIP be submitted containing specific site details and architecture, and;
3. Approval of an interim PUD-SIP zoning designation of the property that will allow the existing commercial center's uses (permitted in C2 zoning) to remain until demolition of the center begins in June 2006.

The Planning Unit is very supportive of the applicant's efforts to redevelop University Square. The proposed development plan represents a significant and appropriate intensification of a currently underutilized site on a very significant downtown/ campus property. The condition of the existing commercial center is likely commensurate with buildings of its age and staff has no information that would indicate that the buildings are not structurally sound or capable of being rehabilitated or repaired. However, staff believes that the proposed alternative use of the site will allow this property, located in an intensely developed commercial and institutional district, to continue to be economically productive for the foreseeable future. Staff believes that the proposal can comply with the demolition standards and has no concerns with the granting of the demolition permit with the general development plan, conditioned upon approval of the amended specific implementation plan.

Conformance with Downtown Design Zone Standards

The consideration of the proposed redevelopment project must be reviewed against the criteria for a planned unit development in Downtown Design Zone 2. This zone is the most intensive of the four design zones and includes a number of large student-oriented residential developments that have been constructed primarily along University Avenue between Lake and Broom streets. The zone permits a maximum floor area ratio (FAR) of 6.0. FAR is a method used to measure the intensity of building coverage and land usage and equals the total floor area of a building divided by its lot area. The University Square development proposes a FAR of 5.19, based on about 770,000 square feet of gross floor area on the 148,104 square-foot site (excluding parking by definition), therefore complying with the design zone requirement. The plan proposes a 15-foot front yard parallel to N. Lake Street, a 12-foot side yard along University Avenue, a 10-foot side yard along W. Johnson Street and a 25-foot rear yard along Murray Mall, all in compliance with the design zone standards. The yard spaces provided along University, Lake and Johnson will be incorporated into the streetscapes and sidewalks of those streets through the conveyance of pedestrian easements to the City (which will likely be accomplished by Certified Survey Map).

The height of the proposed University Square complex will vary. At present, the grade of the site falls modestly from the northwestern corner of the site towards the lower southeastern corner. The two-story retail/ parking “base” building will stand 35 feet above University Avenue and N. Lake Street and 40 feet above Murray Mall and W. Johnson Street, with ten floors and a mechanical penthouse above the base in the residential tower and nine stories above the base in the UW student services tower. In all, the building will stand 130 feet above grade on the northern and eastern sides and 160 feet above grade on the southern and western sides. Despite being one story taller, the residential tower will be shorter in actual height due to the significantly higher floor-to-ceiling heights proposed in the UW tower (9 feet, 8 inches residential versus 13 feet, 4 inches in the UW tower). Design Zone 2 restricts the heights of buildings to ten stories with the opportunity for two bonus stories to be approved if the project meets the additional design criteria. The criteria are intended to allow for up to twelve-story buildings if the bonus “would result in a building design that makes an extraordinary contribution to the architecture of the area and the city as a whole.” The criteria encourage the bonus two stories to be stepped back and less massive than the lower floors, with the result being less boxy at the top in addition to meeting the other design criteria that relate to both the exterior and interior design elements of the building. The authority for granting the bonus stories is given to the Urban Design Commission and Plan Commission.

The Urban Design Commission (UDC) reviewed this development at its November 2, 2005 meeting and recommended initial approval of the project (see attached report). While the UDC generally had favorable comments about the project, many of the members expressed trepidation

about the granting of the two additional stories based on the information they had been provided with the general development plan. Many members desired information that the developer has indicated cannot be provided until the specific implementation plan stage, including details on the articulation of the building mass, the materials to be employed, and how the building will meet the street. Concerns were also expressed about how the mechanical penthouse (“cooling tower”) located atop the residential tower and its treatment given its location on the project’s most prominent façade.

The Planning Unit shares these concerns in reviewing the proposed general development plan against the criteria for approval. These concerns are the result of the fairly general massing diagrams presented as part of the general development plan information. Staff has no doubt that this proposal can comply with the criteria for approval and are very supportive of the project overall and believe it will result in a premier urban redevelopment project on an underutilized parcel in the City’s core. The developers have indicated that they will be preparing additional perspective drawings of the complex for presentation to the Plan Commission at the November 21 meeting that should aid the Commission in determining whether the two additional stories should be granted. Staff believes the Plan Commission has the ability to recommend conditional approval of the project subject to the submittal of a pre-construction specific implementation plan that conforms to the detailed design criteria in Downtown Design Zone 2, which are attached. The applicant is tentatively scheduled to return to the Urban Design Commission to seek final approval of the general development plan on December 7 in advance of the Common Council hearing on the zoning map amendment on December 13, 2005.

Both towers will abide by the Capitol View height preservation ordinance, which restricts building height within a mile of the Capitol to a maximum of 187.2 feet above City datum.

Conformance with City Plans

As noted above, the Draft Comprehensive Plan also identifies this site as a future transit-oriented development. While many of the proposed standards for transit-oriented developments contained in the plan pertain to more horizontal developments spread across larger tracts of land, a number of standards apply to the University Square redevelopment. Among the facets of transit-oriented developments present in this project include the provision of a variety of land uses (housing, retail, institutional, etc.), the placement of the building creating a sense of street spatial enclosure and creation of a high-quality public realm, the inclusion of uses that generate pedestrian activity, such as retail shop, services and offices at the ground floor. The site is located along a heavily traveled transit corridor that operates along University Avenue and W. Johnson Street.

CONCLUSION

In reviewing the standards for planned unit developments, staff believes the criteria can be met for the redevelopment project. As with all two-stage general development plan/ specific implementation plan approvals, significant details including but not limited to the articulation and final architecture of the proposed building, specific development amenities and streetscape improvements will warrant thorough review at the specific implementation plan level. While it is somewhat uncommon for the City to review separate general development plans and specific implementation plans for one-phase developments such as the one proposed, staff believes that the Plan Commission and City Council can approve this general development plan, which sets forth the *concept* of redeveloping the site as discussed above, including the proposed uses, scale and massing. Following general development plan approval, the Plan Commission and Council will be required to apply the same PUD standards and criteria to the amended specific implementation plan that will be required prior to construction, giving the City the ability to exert significant influence on the final development product. It is the Planning Unit's belief that, although a number of details will require resolution at the specific implementation plan stage, the proposed development should result in substantial benefits to the built environment that embody the intent of planned unit developments. In particular, that the proposed planned unit development is "compatible with the physical nature of the site or area" and "would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the [master] plan." Staff believes that the redevelopment concept represents a building mass that should be significantly more in keeping with its physical surroundings than the existing building. The project should result in a substantial benefit to the City of Madison and the University of Wisconsin campus, providing a centralized location for student services, a retail anchor for the eastern end of campus with the potential to attract a variety of commercial and service opportunities, and additional new high-density housing for the western downtown and east campus area.

RECOMMENDATION

The Planning Unit recommends that the Plan Commission forward Zoning Map Amendments 3138 and 3139, rezoning One University Square (the 700-block of University Avenue) from C2 (General Commercial District) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (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 a detailed Inclusionary Dwelling Unit Plan revised to comply with the ordinance be submitted as part of the specific implementation plan or that a waiver request be submitted for review by the Community Development Block Grant Office prior to *submittal* of the amended specific implementation plan.

3. That an amended specific implementation plan be submitted for approval that provides detailed information including but not limited to architecture of the complex, articulation of the building mass, relation of the project to surrounding streets, design of the streetscape, and amenities for the residential tower including any proposed open spaces. Said specific implementation plan shall be subject to a review against the planned unit development standards and criteria for projects in the Downtown Design Zones.
4. That, upon approval of the amended pre-construction specific implementation plan, 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 first and second-floor retail spaces. Such plans shall include contextual information showing the relationship between the exterior finishes proposed and the remainder of the retail corridor.
5. That all improvements in the public right of way be subject to the approval of a Privilege in Streets approval or any other necessary approvals required from the Real Estate Section of the Community & Economic Development Unit, the City Forester and/ or Common Council. The design of the planters and other landscape materials in the public right of way shall be approved following a recommendation from the Planning Unit.
6. 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. The demolition permit shall be issued following Common Council approval of the amended specific implementation plan.
7. In the event that the Urban Design Commission does not recommend final approval of the general development plan at the meeting of December 7, the Common Council will need to determine if the project should be approved at its meeting of December 13, 2005 or referred back to the Plan Commission pending Urban Design Commission action.