



**Project Addresses:** 702-750 University Row and 5119 Silvertree Run

**Application Type:** Amended Planned Development–General Development Plan and Specific Implementation Plan, and Certified Survey Map Referral

**Legistar File ID #** [85055](#) and [84689](#)

**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted

**Reviewed By:** Kevin Firchow, Planning Division

**Summary**

**Applicant:** Paul G. Lenhart, University Row Clinic, LLC; 749 University Row, Suite 101; Madison.

**Property Owners:** University of Wisconsin Hospitals and Clinics Authority/ UW Medical Foundation, Inc.; PO Box 5448; Madison; and GI Clinic, LLC; 749 University Row, Suite 101; Madison.

**Contact Person:** Jenni Eschner; Eppstein Uhen Architects; 309 W Johnson Street, Suite 202; Madison.

**Surveyor:** Brett Stoffregan and Dan Day, D’Onofrio Kottke and Associates, LLC; 7530 Westward Way; Madison.

**Requested Actions:** Approval of an Amended Planned Development–General Development Plan for University Crossing and approval of a Specific Implementation Plan to allow construction of a four-story, 189,000 square-foot addition to an existing medical clinic and a four-level, 792-stall parking garage, and approval of a Certified Survey Map (CSM) to re-divide three platted lots into two.

**Proposal Summary:** The applicant is seeking approval of a revised plan to construct a four-story, 189,000 square-foot addition to the existing three-story, 67,292 square-foot UW Health Digestive Health Center clinic located at 750 University Row at the southwestern corner of University Avenue. As part of the clinic expansion, a standalone four-level, 792-stall parking facility is also proposed, which will be located south of the expanded medical office/ clinic building. Construction of the proposed addition and parking structure will commence in the first quarter of 2025, with completion scheduled in the second quarter of 2027.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. The approval process and standards for Planned Development districts is outlined in Section 28.098 of the Zoning Code. The subject site is located in Urban Design District 6, the rules for which are outlined in Section 33.24(13) of the Urban Design Commission ordinance. The requirements for properties located in the Transit-Oriented Development (TOD) overlay district are outlined in Section 28.104 of the Zoning Code. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

**Review Required By:** Urban Design Commission, Plan Commission and Common Council.

**Summary Recommendation:** If the Plan Commission can find the applicable standards are met, the Planning Division recommends the following actions to the Plan Commission:

- Forward the Amended Planned Development–General Development Plan for University Crossing and approval of a Specific Implementation Plan to allow construction of an addition to an existing medical clinic and parking structure at 702-750 University Row and 5119 Silvertree Run, to the Common Council with a recommendation of **approval** subject to the recommendation of the Urban Design Commission,

input at the public hearing, and the conditions from reviewing agencies beginning on **page 10** of this report; and

- That the Plan Commission forward the Certified Survey Map to re-divide three lots at 702-750 University Row and 5119 Silvertree Run into two lots for the proposed development to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 19**.

## Background Information

**Parcel Location:** The subject site is an 8.5-acre parcel generally located on the west side of University Row between University Avenue and Silvertree Run; Urban Design Dist. 6; Alder District 19 (Guequierre); Madison Metropolitan School District.

**Existing Conditions and Land Use:** UW Health Digestive Health Center clinic and 300-stall parking lot, zoned PD.

### Surrounding Land Uses and Zoning:

**North:** Single-family residences in the Spring Harbor neighborhood and Madison Water Utility Unit Well 14 across University Avenue, zoned SR-C1 (Suburban Residential–Consistent 1 District);

**South:** Wisconsin Southern Railroad right of way and Old Middleton Road; single-, two-, and multi-family residences, zoned SR-C2 (Suburban Residential–Consistent 2 District), PD and NMX (Neighborhood Mixed-Use District);

**West:** Spring Harbor Animal Hospital, Midas, MOKA along University Avenue; Harbor View Apartments, zoned SE (Suburban Employment District); Trillium Homes, zoned TR-P (Traditional Residential–Planned District);

**East:** Four-story office building, zoned SE; mixed-use building with 115 apartments and 5,800 square feet of first floor commercial and 340-stall parking garage across University Row, zoned PD.

**Adopted Land Use Plans:** The 2023 [Comprehensive Plan](#) identifies the subject site, overall University Crossing Planned Development, adjacent mixed-use development to the west, and land located east across N Whitney Way from University Crossing for Community Mixed-Use (CMU).

The current proposed Amended PD(GDP-SIP) was submitted prior to the September 10, 2024 adoption of the [West Area Plan](#) by the Common Council. The subject site and University Crossing development are recommended for Community Mixed-Use (CMU) in the recently adopted area plan. As part of the approval of the area plan, which was adopted as an amendment to the 2023 [Comprehensive Plan](#), the 2006 [Spring Harbor Neighborhood Plan](#) referenced in earlier project reviews for the subject site was archived and its recommendations no longer may be used to guide City actions, including the review of development proposals.

**Zoning Summary:** The site is zoned PD and located within the Transit-Oriented Development (TOD) Overlay District. The project will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Wellhead Protection (Zone A, WP 14), Urban Design (PD zoning, Urban Design Dist. 6), Utility Easements; Transit-Oriented Development (TOD) Overlay District
No:	Floodplain, Landmarks, Waterfront Development, Adjacent to Parkland
<i>Prepared by: Jacob Moskowitz, Assistant Zoning Administrator</i>	

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services. Metro Transit operates daily service along University Avenue past University Crossing on the 'F' line. Nearby, the 'R' line operates on Old Middleton Road just south of the University Crossing development, while the 'A' Bus Rapid Transit (BRT) line operates further south along Sheboygan Avenue and N Whitney Way. Transit service at or near the site is available at least every 30 minutes. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/ LEED Quality Access to Transit points: 118 Weekday and 65 Weekend. Please contact Metro Transit if additional analysis would be of interest.

## Previous Approvals

On October 4, 2011, the Common Council approved a request to rezone 5063-5119 University Avenue and 702 N Whitney Way from C3 (Highway Commercial District) to Planned Unit Development-General Development Plan (PUD-GDP) [1966 Zoning Code] to guide redevelopment of the site as a mixed-use/ employment development, and approved a Planned Unit Development-Specific Implementation Plan (PUD-SIP) to allow construction of an approximately 60,000 square-foot medical office building on a 3.75-acre parcel in the first phase. The Council also approved the preliminary plat and final plat of *University Crossing*, creating 7 lots for the future development and 1 outlot for public stormwater management. The Plan Commission approved a demolition permit on September 19, 2011 to allow 11 existing commercial buildings to be demolished as part of the proposed redevelopment, and recommended approval of the above rezoning and subdivision plat. The final plat was recorded on January 23, 2012.

On April 17, 2012, the Common Council approved an Amended PUD-GDP-SIP for 725-749 University Row to allow construction of a mixed-use building with 115 apartments and 5,800 square feet of retail surrounding a 337-stall parking garage, and a three-story, 54,000 square-foot office/retail building in the University Crossing Planned Development.

On October 6, 2015, the Common Council approved a request to rezone 702-750 University Row, Lots 2 and 3 of University Crossing, from PD(GDP) (Planned Development District-General Development Plan) to PD(SIP) (Planned Development District-Specific Implementation Plan) and approved a Specific Implementation Plan to allow construction of a temporary parking lot with approximately 300 stalls. The temporary use of the parking lot was re-approved as major alterations to the PD zoning approved by the Common Council on October 16, 2018 and July 16, 2024.

On December 5, 2017, the Common Council approved a major amendment to the General Development Plan for the University Crossing Planned Development and approved a Specific Implementation Plan to allow construction of a four-story mixed-use building containing 10,500 square feet of office space and 48 apartments at 5102 Silvertree Run.

On July 25, 2023, the Common Council approved an Amended PD(GDP) for University Crossing to allow construction of a four-story, 180,000 square-foot addition to the UW Digestive Health Clinic and integrated 830-stall parking garage, and a separate 110-unit multi-family dwelling along the southern edge of the site. The Council also approved a SIP for the clinic expansion and garage and a CSM to re-divide Lots 1-3 of the University Crossing subdivision to accommodate the proposed expanded clinic and future multi-family dwelling.

## Project Description

The applicant and property owners are requesting three approvals related to the University Crossing Planned Development:

- Approval of an amended **General Development Plan (GDP)** and **Specific Implementation Plan (SIP)** for Lot 1 of the proposed CSM to allow construction of a four-story, approximately 189,000 square-foot addition to the existing three-story approximately 67,292 square-foot UW Health Digestive Health Center medical clinic and a detached four-level, 792-stall parking facility;
- Approval of an amendment to the University Crossing **General Development Plan** to allow future construction of a four-story, 100- to 110-unit multi-family dwelling on the southern 2.3 acres of the site; and
- Approval of a **Certified Survey Map (CSM)** to re-divide Lots 1-3 of the *University Crossing* subdivision into two lots, one for the clinic expansion and parking garage, and one for the future multi-family dwelling.

The subject site is an 8.5-acre parcel located on the west side of University Row between University Avenue and Silvertree Run on the western edge of the University Crossing development. The University Crossing development also includes three mixed-use buildings located on the block bounded by University Avenue, University Row, Silvertree, and N Whitney Way, all of which have been developed over the last decade. The four-story office building at 610 N Whitney Way, which formerly housed the Public Service Commission, is not part of the University Crossing Planned Development.

### Lot 1 – Medical Clinic Expansion

The existing three-story clinic, addressed as 750 University Row, was constructed in 2012. The building parallels University Avenue but is oriented to an approximately 225-stall surface parking lot located to the south, which is accessed from University Row. A pedestrian entrance to the clinic is located along the easterly façade oriented toward University Row. In addition to the surface parking, approximately 80 parking stalls are located below the clinic building. The remainder of the overall 8.5-acre site is improved with two surface parking lots with approximately 300 automobile stalls, which provide off-site parking for employees of other UW Health facilities around the area.

The plans for the proposed clinic addition calls for a four-story building paralleling University Row to be constructed off the southeasterly corner of the existing building. Plans for the first floor include a pedestrian entrance from the University Row sidewalk leading to a lobby at the northeast corner of the addition that will serve both the existing and new clinic buildings. A one-way patient drop-off/pick-up lane is proposed to extend the length of the addition between the building and University Row sidewalk. The drop-off/pick-up area will be partially covered by a canopy extending over most of the lane. The four floors of the addition will include an urgent care clinic, lab/imaging, and pharmacy on the first floor, and a combination of primary care and specialty care clinic spaces on the upper floors as shown on the attached floorplans included in the Architectural Plans attached to ID [85055](#).

The proposed parking garage will be located south of the proposed clinic addition. With the exception of a modular canopy structure that will connect the northeasterly corner of the parking structure with the southeasterly corner of the clinic addition, the proposed buildings will be separate from each other. Plans for the parking structure call for an entrance to the ground floor of the garage from the one-way drop-off/pick-up lane adjacent to University

Row, with a second full-access entrance along the southerly wall, which will be accessed from a private drive that will enter the site from the roundabout at the University Row-Silvertree Run intersection. The private drive will extend along the southerly and westerly sides of the parking structure before ending at a service and loading area and surface parking lot that will be located between the existing clinic and proposed addition and western property line. The proposed garage will be set back approximately 42 feet from the University Row right of way except where the roundabout at Silvertree Run creates a smaller setback; the space between parking structure and public sidewalk to be landscaped as shown on Sheets LA100 and LA111 of the Civil Plans attached to ID [85055](#).

The proposed addition has been designed to complement the architecture of the existing brick and stone exterior clinic building, with a similar palette of brick and stone veneer, metal accent panels, and prominent windows on the western and eastern facades. The parking structure will primarily be clad with precast concrete panels and solid and perforated metal panels, with brick accent panels on the street-facing façade. A large field of solar collectors is proposed as the roof of the parking facility, as shown on Sheet AP105 of the Architectural Plans.

#### Lot 2 – Future Residential Building

The applicant is also seeking to amend the General Development Plan to facilitate the future construction of a multi-family dwelling to be located on the 2.3-acre lot to be created along the southern edge of the subject site. The proposed site plan on Sheet A03 of the Architectural Plans shows an L-shaped building with 100 units extending parallel to the western property line and proposed northern line of Lot 2, with a combination of underground and surface automobile parking to serve the future building; the letter of intent indicates that the multi-family dwellings will have 110 units. Approval of a Specific Implementation Plan would be required prior to any future construction on Lot 2, which will contain more information on the final number of dwelling units, parking stalls, and design of this building. There is no timeline for when the multi-family dwelling will be built.

## **Analysis**

The recorded 2011 General Development Plan (GDP) calls for a four-story, 70,000 square-foot additional medical clinic to be constructed parallel to University Row on Lot 1 of the University Crossing subdivision in addition to the Digestive Health Center parallel to University Avenue. A three-story, 80,000 square-foot clinic was proposed on Lot 2 to the south of the two Lot 1 clinics. The three clinic buildings were to be served by a three-story, 456-stall parking structure located along the western line of Lot 1 per the 2011 GDP. Additionally, the 2011 GDP proposes a three-story “medical hospitality” use and additional parking to be located on Lot 3 of the University Crossing plat.

The Common Council approved an amendment to the PD(GDP) for University Crossing in 2023 to allow a four-story, 180,000 square-foot addition to the UW Digestive Health Clinic and integrated 830-stall parking garage to be built, with a separate 110-unit multi-family dwelling approved along the southern edge of the site. The Council also approved a PD(SIP) for the clinic expansion and parking garage and two-lot CSM in 2023. However, none of the three approvals granted in 2023 for the site have been recorded to date.

The proposed plans to construct the clinic addition with slightly more floor area than previously approved and a separate parking structure require approval of a new amendment to the University Crossing PD(GDP) as well as approval of a new PD(SIP). While the two-lot CSM is very similar configured to the one approved last year, it was not recorded within 12 months as required by Wisconsin statutes and therefore also requires re-approval.

Consistency with Adopted Plans

The 2023 Comprehensive Plan identifies the subject site, overall University Crossing Planned Development, adjacent mixed-use development to the west, and land located east across N Whitney Way from University Crossing for Community Mixed-Use (CMU).

The CMU category includes existing and planned areas supporting an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole. CMU areas are generally located at major intersections and along relatively high-capacity transit corridors, often extending several blocks. Significant development with a variety of housing options and commercial uses that attract a wide customer base can generally be accommodated in CMU areas, with buildings that generally range in height from two to six stories and more residential units and commercial space compared with development in lower-intensity Neighborhood Mixed-Use areas. Development and design within CMU areas should create a walkable node or corridor and should be transit-oriented. On-street parking may be provided, but intense development in CMU areas may require structured parking. Buildings should screen any surface parking from the street. CMU areas should be well connected with surrounding neighborhoods and have buildings placed close to the sidewalk. Development within CMU areas should be designed to support surrounding residential uses by providing services and retail, and designed to support nearby employment areas by providing residential units close enough to make walking and biking the most convenient method of commuting. Employment, retail, civic, institutional, and service uses serving both adjacent neighborhoods and wider community markets are recommended for CMU areas, and residential uses will generally be similar to the Medium Residential category, though they may occur at higher intensities.

The Comprehensive Plan also identifies University Avenue generally between N Breese Terrace to Capital Avenue as a “regional corridor” on the Growth Priority Areas map (pages 15-16). In general, growth priority areas are prioritized for “context sensitive” mixed-use infill development and redevelopment. The corridors on the Growth Priority Areas map are planned for a mix of uses along their length, and most of the corridors, including University Avenue, are planned to transition from being historically auto-oriented to more transit-, walking-, and bike-friendly forms of development. University Crossing is also identified in the growth framework as a transitioning neighborhood activity center.

Note: The current applications were submitted for review prior to the adoption of the West Area Plan by the Common Council on September 10, 2024. Due to this timing, the Plan Commission should not use the recommendations in the area plan to consider the proposed requests

Transit-Oriented Development (TOD) Zoning Overlay and Standards for Planned Developments

The subject site is located partially within the boundaries of the Transit-Oriented Development (TOD) zoning overlay district (Section 28.104 of the Zoning Code) enacted by the Common Council on January 17, 2023. Per Section 28.104(2), the requirements of the overlay district apply to all parcels within or partially within the boundaries depicted on the maps included in the Zoning Code. The TOD overlay district specifies the uses and intensity of uses allowed in the overlay as well as specifies bulk and design requirements intended to “support investment in and use of public transit and bicycle connections... by fostering development that intensifies land use and economic value around transit stations and by promoting a mix of uses that will enhance the livability of station areas.” The TOD overlay is also intended to “provide increased mobility choices;” “improve pedestrian connections, traffic and parking conditions,” and “foster high-quality buildings and public spaces that help create and sustain long-term economic vitality.” The TOD overlay standards are applicable to all new principal buildings and major expansions that are 50% or more of building floor area for non-residential uses and buildings with over

two residential units; the standards apply only to the portion of a building that is new or expanded, so the existing clinic building is exempt.

Both the clinic addition and parking garage are considered principal buildings for the purposes of complying with the requirements of TOD overlay. Zoning staff has identified the following areas where the proposed development will not comply with the requirements in Section 28.104:

- Section 28.104(7), Site Standards for Buildings, which requires at least 30% of primary street-facing building facades be setback no more than 20 feet from the primary street and that buildings occupy at least thirty percent (30%) of the primary street frontage. Both the clinic addition and parking structure will be located beyond the 20-foot setback from University Row, with a setback of 42 feet across most of the street-facing façade of the parking structure while the closest point of the clinic addition to the street will be 36.9 feet as measured from the northeastern corner.
- Section 28.104(8), Site Standards for Automobile Infrastructure, which requires that automobile parking, loading, drives, drive aisles, driveways, vehicle access sales and service windows and drives, gas pumps, gas station canopies, car wash vacuum stalls and electric vehicle charging facilities not be allowed between the primary street-facing façade and the primary public or private street. Specifically, the placement of the patient drop-off/pick-up zone between the building and University Row will not comply with this requirement.
- Section 28.104(8)(e) requires that parking structures integrate active uses along at least 50% of the primary street-facing façade at the first floor. The proposed garage includes no uses other than parking.

Section 28.098(3)(a) states that a Planned Development shall comply with all standards, procedures, and regulations of the Zoning Code that are applicable to the individual uses within the development, including the General Regulations of Subchapter 28I and the Supplemental Regulations, Section 28.151 of Subchapter 28J. Where the applicant proposes a development that does not comply with one or more of the regulations in those subchapters, they shall specifically request that the Plan Commission consider the application of those regulations in making its recommendations on the development, including specific language in the zoning text or depiction on the plans.

In this case, the Zoning Administrator has determined that the requirements in the TOD overlay district in Section 28.104 can be varied or waived through Planned Development approval in a manner similar to how the General Regulations and Supplemental Regulations can be varied or waived.

The applicant's letter of intent notes the "circumstance of [University Row] is that it slants away at an obtuse angle, relative to University Avenue, approximately 94 degrees. The building addition at 750 University Row has been conceived as perpendicular to the existing building to create pleasing and regular massing, and rational structural bays and intersections. As the street continues to slant away, this results in the new façade being beyond the 20' setback." The letter of intent goes on to highlight the need for the proposed drop-off and pick-up area to create a "safe environment for patients arriving via shared ride, taxicab, transfer van, and ambulances from assisted care facilities." The applicants have also previously noted the regional nature of the clinic's services and the specific medical services and procedures offered at the site as justification for the vehicular drop-off and pick-up area between the building and University Row.

Per its statement of purpose in Section 28.0908 of the Zoning Code, the Planned Development (PD) District is "established to provide a voluntary regulatory framework as a means to facilitate the unique development of land

in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural, and economic considerations, and that features high-quality architecture and building materials.” In addition, goals of the PD district include promotion of green building technologies, encouraging sustainable development, promotion of integrated land uses allowing for a mixture of residential, commercial, and public facilities with enhanced pedestrian, bicycle and transit connections and amenities, and facilitation of high-quality development that is consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted sub-area plans. There are no predetermined requirements for lot area, lot width, height, floor area ratio, yards, usable open space, signage, or off-street parking and loading in the PD district, but because of this substantial flexibility, the PD district should only be used in situations where none of the base zoning districts address the type of development or site planning proposed, including but not limited to large-scale master planned developments and projects that create exceptional employment or economic development opportunities.

Similarly, the standards for approval of a zoning map amendment to the PD District, or any major alteration to an approved General Development Plan, shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans; not adversely affect the economic health of the City or the area where the development is proposed or the City’s ability to provide services; not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands; and coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District, among other criteria.

Comments from reviewing agencies suggest that the impact of the proposed development should not adversely impact the City’s ability to provide municipal services to the property consistent with Planned Development approval standard (2)(c). However, similar to conditions imposed on developments of similar scale and intensity here and elsewhere around the City, the City Engineer is requesting wastewater flow calculations for the proposed development to ensure that there is adequate sanitary sewer capacity to serve it, with a condition that off-site sewer improvements may be required if flow from proposed development exceeds the available capacity of City sewers. Additionally, the Traffic Engineering Division has submitted no major or non-standard comments about the proposed development that would suggest that it will create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands.

The Plan Commission should consider, however, whether the proposed clinic addition and separate parking structure meet the goals and objectives of the TOD overlay and PD district as it considers the current amendment to the University Crossing General Development Plan and proposed Specific Implementation Plan for the clinic addition and parking buildings. While the clinic addition is oriented to University Row and includes a prominent pedestrian entrance and a substantial amount of vision glass along the ground floor facing the street, most of the building is setback greater than twice the 20-foot setback primarily to accommodate a two-lane vehicular drop-off and pick-up area between it and the public sidewalk. The drop-off and pick-up area is served by two driveways, including a one-way entrance adjacent to the northeastern corner of the addition, and a two-way driveway at the southeastern corner, which will serve as the exit for the drop-off and pick-up area as well as one of the entrances into the parking garage. The proposed layout places a substantial amount of auto-oriented infrastructure between the clinic and University Row while featuring a large, mostly detached parking structure that will have considerable presence along University Row. And while the intensity of development contemplated with the near quadrupling of the medical facilities at University Crossing is consistent with the Community-Mixed-Use recommended for the



by the Comprehensive Plan, the form of the proposed development could be viewed as less consistent with the form-based recommendations in the CMU land use category.

### Urban Design Commission Review

The Planned Development is located in Urban Design Dist. 6, which requires that the request be approved by the Urban Design Commission (UDC). In addition, the UDC shall review the Amended PD (GDP-SIP) prior to the Plan Commission, and shall make a recommendation to the Plan Commission with specific findings on the design objectives listed in Subsections 28.098(1) and (2) and the other requirements of this Subchapter. The UDC reviewed the project at its September 11, 2024 meeting and granted **initial** approval, with conditions to be met when the project returns to the UDC for final approval prior to issuance of building permits.

In making its findings on the Amended PD(GDP-SIP), the Urban Design Commission found that the proposed TOD overlay exceptions are consistent with the Planned Development (PD) standards, and that the proposed building addition is consistent with the Urban Design Dist. 6 guidelines and requirements, as well as the PD standards.

Related to the parking structure, however, the UDC found that design-related modifications are necessary in order for it to give the proposed garage final approval, including the applicant providing additional architectural detailing, renderings and perspectives of the parking structure, including long views, at grade views, and perspectives of the covered walkway; the applicant reviewing how the materiality of the parking garage is integrated with the language of the proposed new clinic and existing clinic buildings, including the application of the materials, rhythm and proportions; the need to refine the corner tower elements to be consistent in design and material; and revising the landscape plan and grading plans to incorporate berming along the public street facing side of the parking structure to support the proposed landscape.

A draft report of the September 11 Urban Design Commission meeting is attached to ID [85055](#) for reference.

## **Conclusion**

The applicant is requesting approval to re-divide Lots 1-3 of the University Crossing subdivision into two lots by CSM, and to amend the General Development Plan for University Crossing to allow construction of a four-story, 189,000 square-foot addition to the existing three-story UW Health Digestive Health Center located at 750 University Row, which will include a separate 792-stall parking structure adjacent to the expanded clinic. The amended PD(GDP) also calls for the future development of a four-story multi-family dwelling on Lot 2 of the proposed CSM. The applicant is also seeking Specific Implementation Plan approval for the clinic addition and parking garage. The requested approvals are subject to the standards for zoning map amendments, the Planned Development zoning district, and Certified Survey Maps.

As part of the approval of the clinic, the applicant is requesting relief through the Planned Development zoning approval to specific requirements in the Transit-Oriented Development (TOD) zoning overlay. In particular, both the clinic addition and the proposed parking garage will be located outside the 20-foot maximum setback for principal buildings from University Row, with most of the space between University Row and the clinic addition devoted to a covered patient drop-off/pick-up zone.

If the Plan Commission finds that the project is consistent with the Community Mixed-Use (CMU) recommendations for the site in the Comprehensive Plan and the standards for approval are met, the Plan

Commission’s recommendation should include specific findings regarding relief from the following provisions of the TOD zoning overlay:

- That the proposed clinic addition and parking structure are hereby approved with a waiver, variance or exception to the requirements in Section 28.104(7) Site Standards for Buildings, which require at least 30% of primary street-facing building facades be setback no more than 20 feet from the primary street and that buildings shall occupy at least thirty percent (30%) of the primary street frontage.
- That the proposed clinic addition is hereby approved with a waiver, variance or exception to the requirements in Section 28.104(8) Site Standards for Automobile Infrastructure, which stipulate that automobile parking, loading, drives, drive aisles, driveways, vehicle access sales and service windows and drives, gas pumps, gas station canopies, car wash vacuum stalls and electric vehicle charging facilities not be allowed between the primary street-facing façades and the primary public or private street to allow the patient drop-off/pick-up zone proposed between the building and University Row.
- That the parking structure be exempt from providing active uses along at least 50% of the primary street-facing façade at the first floor.

## Recommendation

### Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

If the Plan Commission can find the applicable standards are met, the Planning Division recommends the following actions to the Plan Commission:

- Forward the Amended Planned Development–General Development Plan for University Crossing and approval of a Specific Implementation Plan to allow construction of an addition to an existing medical clinic and parking structure at 702-750 University Row and 5119 Silvertree Run, to the Common Council with a recommendation of **approval** subject to the recommendation of the Urban Design Commission, input at the public hearing, and the conditions from reviewing agencies that follow; and
- That the Plan Commission forward the Certified Survey Map to re-divide three lots at 702-750 University Row and 5119 Silvertree Run into two lots for the proposed development to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 19**.

### **Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

#### Planning Division

1. That the General Development Plan for University Crossing is hereby approved to include a four-story apartment building on proposed Lot 2 south of Silvertree Run. Prior to issuance of building permits for this future building, the applicant shall obtain approval of a Specific Implementation Plan per Section 28.098 of the Zoning Code. Review of the Lot 2 building for conformance with the requirements of the Transit-Oriented Development overlay, including any waivers, variances or exceptions to those requirements, shall occur as part of the review of the future Specific Implementation Plan.

#### City Engineering Division (Contact Tim Troester, (608) 267-1995)

2. The developer shall provide projected wastewater calculations for the proposed development Off-site sewer improvements by the developer may be required as a condition for development. Submit projected

wastewater calculations to Mark Moder [mmoder@cityofmadison.com](mailto:mmoder@cityofmadison.com) to confirm that the City sewer has adequate capacity for the proposed development.

3. The proposed development will impact existing public storm sewer and easements for said sewer. The applicant shall submit information on how stormwater requirements and overflow requirements will be met on the site. A developer agreement will be needed to issue public plans for this work.
4. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20 feet in order to connect to the public system shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement.
5. Enter into a City/Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign-off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
6. Construct sidewalk, terrace, curb and gutter, and pavement along University Row to a plan approved by the City Engineer.
7. Construct a 10-foot multi-use path along the project limits to a plan approved by the City Engineer.
8. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
9. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development.
10. An Erosion Control Permit is required for this project.
11. A Storm Water Management Report and Storm Water Management Permit is required for this project.
12. A Storm Water Maintenance Agreement (SWMA) is required for this project.
13. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at (608) 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Wisconsin Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.

14. Revise the site plan 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.
15. Revise plan to show the location of all rain gutter down spout discharge locations. Downspouts shall be directed to drain to public right of way.
16. This area is within a watershed study for flood mitigation and has a known flooding risk. The minimum opening elevations for structures proposed by this application shall have a low entrance elevation that is a minimum of two (2) feet above the adjacent sidewalk elevation. The stated elevation is intended to be protective but does not guarantee a floodproof structure. The developer/owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with
17. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The developer/owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
18. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to any below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-year design storm that is current in MGO Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system, provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
19. The applicant shall show storm water "overflow" paths that will safely route runoff during the 100-year, 24-hour design storm when the storm sewer is at capacity. Public stormwater shall be contained to public right of way, easements or public lands for the 100-year, 24-hour design storm for new development.
20. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL zone and therefore will be regulated to meet a higher standard.
21. This project will disturb 20,000 square feet or more of land area and requires an Erosion Control Plan. Please submit an 11- x 17-inch copy of an erosion control plan (PDF electronic copy preferred) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.
22. Demonstrate compliance with MGO Sections 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.

23. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
24. This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering (608) 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
25. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
26. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Storm Water Management Plan and Report shall include compliance with the following:
  - Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
  - Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering.
  - Detain the 2-, 5-, 10-, 100-, and 200-year storm events, matching post development rates to predevelopment rates and using the design storms identified in MGO Chapter 37.
  - By design detain the 10-year post-construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10- year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first half-inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first half-inch of rainfall, either green or non-green infrastructure may be used.
  - If the development has an enclosed area which provides existing storage, the existing storage will need to be accounted for in addition to meeting the requirements for detention.
  - Provide infiltration of 90% of the pre-development infiltration volume.
  - Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.
  - Reduce TSS by 40% (control the 20-micron particle) off of new paved surfaces as compared to no controls.
  - Reduce TSS by 80% off of the proposed development when compared with the existing site.
  - Treat the first half-inch of runoff over the proposed parking facility and/or drive up window.

Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

The applicant shall demonstrate that water can leave the site and reach the public right of way without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

27. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. E-mail PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [troester@cityofmadison.com](mailto:troester@cityofmadison.com) (West).

**City Engineering Division – Mapping Section** (Contact Julius Smith, (608) 264-9276)

28. Grant a Public Storm Sewer Easement(s) to the City on the face of concurrent Certified Survey Map to replace the easement being displaced by the proposed structure. Location and size of this easement shall be approved by City Engineering. Contact Jule Smith of Engineering-Mapping ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com), (608) 264-9276) for the final required easement language to include on the CSM.

29. Grant a public sidewalk easement to the City on the face of the concurrent Certified Survey Map along the portion of sidewalk adjacent to Silvertree Run located within the limits of the current right of way as currently constructed one (1) foot behind the current the current back of walk.

30. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by the City's Office of Real Estate Services. Contact Jule Smith of Engineering-Mapping ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com), (608) 264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the CSM, acknowledgement of the release and document number shall be noted on the face of the CSM. There are public storm sewer easements that will require releases for the proposed structure to be constructed as shown.

31. Upon approval of the proposed paving and canopy improvements lying within the City of Madison Easement for Storm Sewer and Drainage to be set forth and rerouted on the forthcoming CSM, a Consent to Occupy Easement document shall be drafted and recorded by City of Madison Office of Real Estate Services defining responsibilities and requirements in conjunction with the proposed improvements. Coordinate with Jule Smith at [jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com).

32. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the concurrent CSM.

33. Identify on the plans the lot and block numbers of recorded Certified Survey Map or plat.

34. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.
35. The site plan shall reflect proper street addresses for the existing building/building expansion and for the proposed parking ramp.
36. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office, and the parcel data available to Zoning And Building Inspection staff prior to issuance of building permits for new construction.

**Traffic Engineering Division** (Contact Luke Peters, (608) 266-6543)

37. The applicant shall submit a waste removal plan for review, which shall include vehicular turning movements.
38. The applicant shall submit a commercial delivery plan for review. This plan will include times, vehicle size, use of loading zones and all related turning movements.
39. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
40. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City-owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
41. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
42. All parking facility design shall conform to the standards in MGO Section 10.08(6).
43. The applicant shall adhere to all vision triangle requirements as set in MGO Section 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO Section 27.05(2)(bb)–Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
44. All parking ramps as the approach the public right of way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the right of way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.

45. The driveway slope to the parking is not identified in the plan set. Traffic Engineering staff recommends driveway slope under 10%. If the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
46. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering staff to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Andrew Oliver, ((608) 267-1979, aoliver@cityofmadison.com, 4141 Nakoosa Trail). The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign-off.
47. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
48. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all Class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
49. The applicant shall show the dimensions for the proposed Class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
50. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

**Parking Division** (Contact Trent W. Schultz, (608) 246-5806)

51. The applicant shall receive final approval of a Transportation Demand Management (TDM) Plan after Plan Commission and Common Council approval of the project. TDM Plan review fees will be required as part of final site plan review sign-off.

**Zoning Administrator** (Contact Jacob Moskowitz, (608) 266-4560)

52. The applicant is requesting exceptions to Sec. 28.104(7) Site Standards for Buildings and Sec. 28.104(8) Site Standards for Automobile Infrastructure. Specifically for placement of less than 30% of the building façade within 20 feet of University Row and the placement of a passenger loading zone between the building and University Row.

53. Work with Zoning and Planning staff for final approval of the Zoning text. In the Zoning Text, revise the signage to be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the SE district.
54. Submit a detail showing the model of bike rack to be installed.



55. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and Chapter 33 Urban Design Commission ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Fire Department** (Contact Matt Hamilton, (608) 266-4457)

56. Connection to the existing sprinkler and standpipes will be required and the existing fire department connection (FDC) will need to be upsized for additional standpipes being added to the system.

**Water Utility** (Contact Jeff Belshaw, (608) 261-9835)

57. This property is in a Wellhead Protection District–Zone (WP-14). The applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Sarah Scroggins at [Sscroggins@madisonwater.org](mailto:Sscroggins@madisonwater.org) for additional information, including a summary of the submittal requirements.

**Metro Transit** (Contact Tim Sobota, (608) 261-4289)

58. In coordination with any public works improvements, the applicant shall replace and expand the concrete boarding pad surface at the existing Metro bus stop on the west side of University Row, south of University Avenue (#2600).

59. The applicant shall install and maintain a new passenger waiting shelter with seating amenity either as part of the private landscape plan or in the public right of way area along the west side of University Row, south of University Avenue. If located in the public right of way, the applicant should be aware of the requirements set forth in MGO Section 10.31, as well as the timelines necessary to submit a Privilege in Streets (Bus Shelter) application and should contact the City’s Office of Real Estate Services for information and assistance with the Privilege in Streets (Bus Shelter) application process. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off - if located in the public right-of-way.

60. The existing curbside bus stop pullout zone and accessible pedestrian sidewalk and concrete boarding pad on the south side of University Avenue, west of University Row, provides critical access to the City's transit operations, and any planned or permitted obstruction of the existing bus stop zones in excess of thirty (30) days may require additional right-of-way improvements and/or other mitigation measures in coordination with Traffic Engineering and Metro Transit staff in order to create an alternate bus stop zone that would serve the University Avenue at University Row intersection area in a comparable operational and accessible manner.

61. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

**Parks Division** (Contact Ann Freiwald, (608) 243-2848)

This agency has reviewed the request and recommended no conditions of approval.

**Forestry Section** (Contact Bradley Hofmann, (608) 267-4908)

62. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
63. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the alderperson within whose district is affected by the street tree removal(s) prior to a treeremoval permit being issued. Add as a note on the plan set.
64. City Forestry will issue a street tree removal permit for four trees 3-5" diameter tree due to construction conflicts along University Row frontage. The contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.
65. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. The contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shallbe reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on both the site and street plan sets.
66. As defined by the Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry ((608) 266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system priorto work commencing. Add as a note on the site, grading, utility, demolition, and street tree plan sets.
67. Section 107.13(g) of *City of Madison Standard Specifications for Public Works Construction* addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
68. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street plan sets.
69. Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300–Part 1 Standards for pruning. Add as a note on both the site and street plan sets.

70. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

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**Certified Survey Map – Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

**City Engineering Division** (Contact Tim Troester, (608) 267-1995)

1. The existing storm sewer through the site needs to be redesigned and reconstructed as part of the proposed development. The existing easement needs to be released after recording a new easement or having one dedicated with this CSM. As of this submittal, a final stormwater management plan with the proposed new stormwater pipe alignment and design has not been submitted or reviewed by City Engineering. This shall be resolved prior to recording the CSM.
2. Enter into a City/Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign-off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
3. Construct sidewalk, terrace, curb and gutter, and pavement along University Row to a plan approved by the City Engineer.
4. Construct a 10-foot multi-use path along the project limits to a plan approved by the City Engineer.
5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
6. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at (608) 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at (608) 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

**City Engineering Division – Mapping Section** (Contact Julius Smith, (608) 264-9276)

7. Grant a Public Storm Sewer Easement(s) to the City on the face of this Certified Survey Map to replace the easement being displaced by the proposed concurrent development. Location and size of this easement shall be approved by City Engineering. Contact Jule Smith of Engineering-Mapping (jsmith4@cityofmadison.com, (608) 264-9276) for the final required easement language to include on the CSM.

8. Grant a Public Sidewalk to the City on the face of this Certified Survey Map along the Northeast Corner of Lot 2 at one-foot off the existing public sidewalk as it is currently located. Contact Jule Smith of Engineering Mapping ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com), (608) 264-9276) for the final required easement language to include on the CSM.
9. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by the City's Office of Real Estate Services. Contact Jule Smith of Engineering Mapping ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com), (608) 264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the CSM. There are public storm sewer easements for the proposed structure to be constructed as shown in the concurrent development.
10. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final CSM.
11. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)).
12. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations.
13. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
14. This pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office, and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction or early start permits.
15. The applicant shall submit to Jule Smith, prior to final Engineering sign-off of the subject CSM, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal.

**Traffic Engineering Division** (Contact Sean Malloy, (608) 266-5987)

This agency has reviewed the request and recommended no conditions of approval.

**Parking Division** (Contact Trent W. Schultz, (608) 246-5806)

This agency has reviewed the request and recommended no conditions of approval.

**Zoning Administrator** (Contact Jacob Moskowitz, (608) 266-4560)

This agency has reviewed the request and recommended no conditions of approval.

**Fire Department** (Contact Bill Sullivan, (608) 261-9658)

This agency has reviewed the request and recommended no conditions of approval.

**Water Utility** (Contact Jeff Belshaw, (608) 261-9835)

16. The following information shall be noted on the CSM prior to final approval: "The properties are located within Wellhead Protection District—Zone (WP-14). Uses of the properties are required to comply with the City of Madison Wellhead Protection requirements as provided under MGO Sections 13.22 and 28.102."

**Metro Transit** (Contact Tim Sobota, (608) 261-4289)

17. In coordination with any public works improvements, the applicant shall replace and expand the concrete boarding pad surface at the existing Metro bus stop on the west side of University Row, south of University Avenue (#2600).

18. The applicant shall install and maintain a new passenger waiting shelter with seating amenity either as part of the private landscape plan or in the public right of way area along the west side of University Row, south of University Avenue. If located in the public right of way, the applicant should be aware of the requirements set forth in MGO Section 10.31, as well as the timelines necessary to submit a Privilege in Streets (Bus Shelter) application and should contact the City's Office of Real Estate Services for information and assistance with the Privilege in Streets (Bus Shelter) application process. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off - if located in the public right-of-way.

19. The existing curbside bus stop pullout zone and accessible pedestrian sidewalk and concrete boarding pad on the south side of University Avenue, west of University Row, provides critical access to the City's transit operations, and any planned or permitted obstruction of the existing bus stop zones in excess of thirty (30) days may require additional right-of-way improvements and/or other mitigation measures in coordination with Traffic Engineering and Metro Transit staff in order to create an alternate bus stop zone that would serve the University Avenue at University Row intersection area in a comparable operational and accessible manner.

20. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

**Parks Division** (Contact Ann Freiwald, (608) 243-2848)

This agency has reviewed the request and recommended no conditions of approval.

**Forestry Division** (Contact Bradley Hofmann, (608) 267-4908)

This agency has reviewed the request and recommended no conditions of approval.

**Office of Real Estate Services** (Lance Vest, (608) 245-5794)

21. Prior to approval sign-off by the Office of Real Estate Services (“ORES”), the Owner’s Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain final sign-off.
22. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner’s Certificate(s).
23. If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.
24. As of August 30, 2024, the 2023 real estate taxes are paid for the subject property. As of August 30, 2024, there are no special assessments reported. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that may become due prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
25. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Lance Vest (lvest@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report submitted with the CSM application and include all associated documents that have been recorded since the initial title report (July 2, 2024). A title commitment may be provided, but will be considered only as supplementary information to the title report update. The surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
26. Please revise the final CSM prior to final approval as follows:
  - a. Depict, name, and identify by document number all existing easements cited in record title and the updated title report. Depict and identify the easements recorded as Document Nos. 1076926 and 4855074. If easements are no longer applicable, have the title company to remove them from the updated title report.
  - b. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary. In particular, the driveway and parking lot located on the proposed Lot 2.

- c. If all parties of interest agree that certain easements from prior plats or CSMs of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a note on the proposed CSM.