



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

Madison Municipal Building
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December 14, 2005

Rick Gilbertson
Potter Lawson, Inc.
15 Ellis Potter Court
Madison, Wisconsin 53711

RE: Approval of a request to rezone One University Square from C2 (General Commercial District) to Planned Unit Development-General Development Plan (PUD-GDP) to allow future development of a mixed-use development that will contain a 350-unit apartment tower, 130,000 square feet or retail space and a 225,000 square-foot University of Wisconsin student services center tower upon demolition of the existing one-story commercial center, with a specific implementation plan (PUD-SIP) to provide zoning continuity for the existing building until demolition and mixed-use development commences in 2006.

Dear Mr. Gilbertson:

At its December 13, 2005 meeting, the Common Council **conditionally approved** your application for rezoning property located at One University Square from C2 to PUD-GDP-SIP. The following conditions of approval shall be satisfied prior to final approval and recording:

Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following twenty-four (24) items:

1. The applicant would like to place planters between the sidewalk and the curb and gutter to make up for grade differences between the street and the proposed building.
 - The planters shall be a minimum of 2-feet behind the face of the curb.
 - The planters shall not obstruct any required sight lines at intersections or driveways.
 - The applicant shall obtain a privilege in streets permit for the planters.
2. The applicant shall dedicate an easement for public sidewalk where the proposed sidewalk lies on private property, and dedicate additional public easements and/or right-of-way as needed, by approval and recording of a certified survey map. Owner shall record the certified survey map before GDP approval and concurrent or prior to SIP approval.
3. The applicant shall provide the City with survey and shall obtain approval for the grades of the building prior to sign off. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a professional engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. Provide the survey to Glenn Yoerger with City Engineering.
4. The applicant shall review the provisions for drainage on the site with City Engineering and shall design the site grades to reduce the risk of flooding to below grade parking areas.

5. ADA curb ramps are required at intersections and directional curb ramps will be required to place of the single diagonal ramp proposed. The design may have some effect on the site plan. The applicant shall construct the ramps as required by the City Engineer.
6. Stormwater Management requirement includes erosion control, 40% TSS control for any parking areas.
7. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
8. The approval of this project does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
9. The applicant shall replace all sidewalk and curb and gutter which abuts the property that is damaged by the construction or any sidewalk and curb and gutter that the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
10. The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
11. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. A professional engineer must stamp the soil retention system. The City Engineer may reject or require modifications to the retention system.
12. A City licensed contractor shall perform all work in the public right-of-way.
13. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
14. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
15. This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Please contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Please contact Greg Fries at 267-1199 to discuss this requirement.

17. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
18. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, and other miscellaneous impervious areas.
19. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
20. The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
21. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc. shall be shown on the plan.
22. Prior to approval of the project, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
23. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
24. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

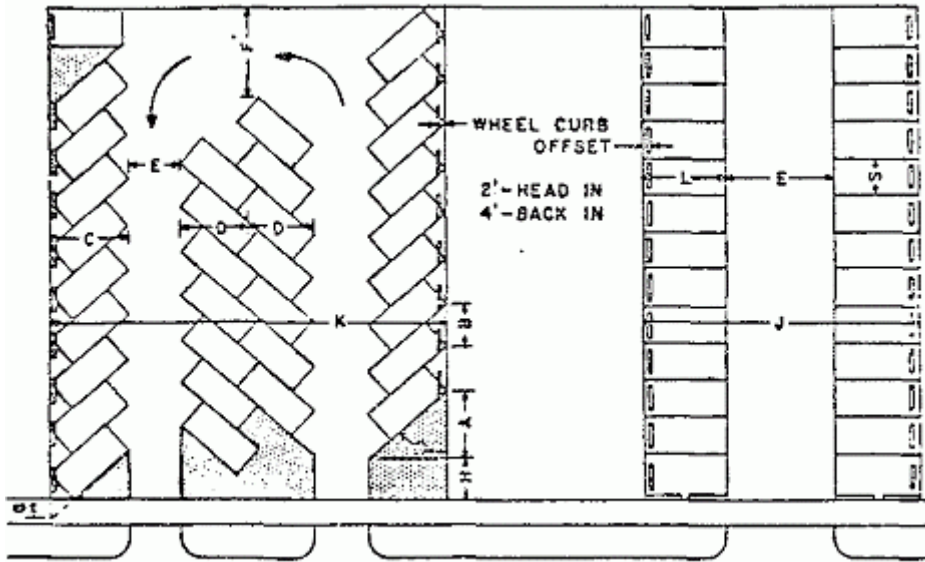
Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following twenty-one (21) items:

25. The proposed layout of the sidewalks, terrace and streets appears reasonable, however, approval of this PUD (GDP-SIP) does not include the final approval of the changes to roadways, sidewalks or utilities. The applicant shall need to obtain separate approval by the Board of Public Works and Common Council for the restoration and/or reconstruction of the public right-of-way including any changes requested by the developer. The Lake Street, University Avenue & W. Johnson Street improvements shall be reviewed and approved by the City Traffic Engineer and City Engineer. The applicant shall note on the site plan, " All work proposed in the right-of-way is not being approved as part of the PUD-GDP-SIP. All work in the right-of-way is approved separate by the Board of Public Works, City of Madison."
26. The applicant shall enter into a subdivision contract or developer's agreement for the reconstruction of the streets and sidewalk adjacent to the development, including Lake Street. The reconstruction of the streets and sidewalk shall be subject to the plans and specifications of the City Traffic Engineer and City Engineer.
27. The applicant shall not improve the right of way as proposed with plantings and outdoor use unless the City approves encroachment or privilege in streets.

28. The applicant shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and hand holes, including labor, engineering and materials for both temporary and permanent installations. The exact deposit will need to be determined after further, detailed meetings with the applicant.
29. The applicant shall submit a construction staging and traffic control plan prior to approval of the GDP and SIP. A condition of these plans is that the development construction cannot impact the University Avenue sidewalk and contra-flow bike lane.
30. If the parking spaces are to be accessory parking on special event for the University of Wisconsin. The subject conditional use is conditionally approved provided the subject accessory parking is used, managed and operated in accordance with the City-approved Kohl Center Transportation Management Plan (TMP). The applicant should contact the UW Athletic Department. The applicant should provide a letter of approval from the UW Athletic Department about management and operating accessory parking.
31. A condition of approval shall be that no residential parking permits will be issued for this address development, 700 University Avenue, consistent with other projects. In addition, the applicant shall inform all owners and/or tenants of this facility of the requirement in their condominium documentation, apartment leases and zoning text; however, the designated inclusionary dwelling units at [700] University Avenue shall be eligible for residential parking permits according to the inclusionary zoning. The applicant shall provide addresses and apartment numbers for the designated inclusionary dwelling units, eligible for residential parking permits to the City Traffic Engineer/Parking Manager at time of submittal of sign off. For more information on this condition, please contact Bill Knobloch, Parking Operation Manager, at (608) 266-4761.
32. The City-County radio systems (911, etc.) managed by the City use microwave directional paths to remote towers countywide. If a building's location and height impact these paths, the development may be required to make accommodations for the radio systems. Exact elevation plans will need to be reviewed by the Traffic Engineer to determine any impacts and accommodations. The applicant will need to submit grade and elevations plans prior to sign-off to be so they can be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. Based on our consultations with the City Attorney's office, any costs would be developer related costs.
33. The applicant shall install truck service garage doors and electronic lighted signage to parking ramp to prevent vehicles from using the truck service area. The applicant shall note on the site plans garage door operation and signage to prevent unauthorized vehicles from using truck loading area..
34. The final results of the developer's traffic impact study shall be reviewed and approved by the Traffic Engineer prior to final signoff on the first SIP.
35. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
36. The applicant shall install safety Ped/Vehicle Mirrors for both parts of the parking ramp and truck areas for the egress of both ramps and loading areas. "Do Not Block Sidewalk" Lake Street & W. Johnson Street, "Service Truck Entrance Only" at both garage doors for loading area, and "Stop" signs shall be installed at all driveway approaches. And "Left Turn Only" and "Stop" signs shall be installed at the W. Johnson Street driveway approaches. The applicant shall install electronic light for ingress and egress signs for vehicle access

to ramps to be approved with detail signing plans. The applicant shall provide signage to secure truck one-way traffic from Lake Street to W. Johnson Street (The electronic signs may require to encroach onto the right-of-way, and require additional approval from City Real Estate.) The applicant shall install pavement markings example as double yellow, arrows, keep right sign to secure ingress/egress ramp traffic. All signs at the approaches shall be shown on site. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

37. The applicant shall note on the site plans demonstrate semi trailer ingress/egress movements to the loading docks and public streets.
38. The ramp down to the underground parking and its percent of slope is questionable and shall be designed to accommodate low-clearance vehicles for a transition. The ramp breakover angle (limited by vehicle wheel-base and ground clearance) and angles of approach (affected by front overhang of vehicles) and departure (affected by rear overhang) are critical vehicle clearance points. Standards established by the Society of Automotive Engineers limit the ramp breakover angle to no less than 10 degrees; angle of departure, no less than 10 degrees; and angle of approach, no less than 15 degrees. The applicant shall provide a profile of the ramp showing the slopes critical clearance, when plans are submitted for approval. The applicant should explore ramp slopes (grades) less than 10 % that can be blended satisfactorily with an 8-foot transition length. In addition, the applicant shall demonstrate on the plan that vehicles turning ingressing and egressing the ramp can be accommodated in the tight area without encroaching onto adjacent properties.
39. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
40. The driveways for the combined the truck service and parking ramp driveway approaches shall be redesigned to better define truck service and automobile ingress/egress, with final approval by the Traffic Engineer. The applicant shall modify the two driveway approaches on Lake Street & W. Johnson Street according to MGO 10.08(3)(c) Any two entrance shall be a least ten (10) feet apart and in case less then sum of the approach flare or radii.
41. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
42. The applicant shall submit with the site lot plans in zoning text or letter of operations of gates and garage doors for the underground parking areas; a detail drawing of the area showing queuing of at least two to three automobiles to underground off-street parking ramp from Lake Street and W. Johnson Street, if the garage doors or gates are use to secure parking areas showing that the operation will not be blocking the public sidewalk with queuing vehicles.
43. The applicant shall design the underground parking areas for stalls and backing up according to Figures II of the ordinance using the nine-foot or wider stall for the commercial/retail area. The "One Size Fits All" stall maybe used for the underground parking area only, which is a stall S = 8'-9" in width by L = 17'-0" in length with a E = 23'-0" backup. The applicant shall modify and dimensions for proposed parking stalls' items S = 17 ft., B = 8.75 ft., C = 17 ft., D = 17 ft., E = 23 ft., and F = 20 feet, and for ninety-degree angle parking width and backing up. The applicant shall modify ramp parking which no stair cases, elevators, aisles, ramps, columns, offices or work areas are to be excluded from these rectangular parking space S, B, C, D, E, & F, when designing underground parking areas.



- 44. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights prior to final approval.
- 45. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following three items:

- 46. Provide a fire lane that extends to within 150 feet of all exterior portions of the structure as required by Comm 62.0509 and MGO 34.19, unless fully-sprinklered, then hose reach can extend to 250 feet off W. Johnson Street and University Avenue on right side of building.
- 47. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path traveled by the fire truck as the hoselays off the truck. See MGO 34.20 for additional information.
- 48. The site plans shall clearly identify the location of all fire lanes as required by Comm. 62.0509 and MGO 34.19.

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

- 49. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to CDBG, a copy of the approved plan for recording prior to zoning sign off of the future PUD-SIP development.
- 50. This SIP is for the maintenance of the existing uses. The proposed future development zoning standards will be reviewed at the PUD-SIP submittal for that development.

51. In the zoning text Family definition for occupancy shall coincide with the definition in Chapter 28 of the Madison General Ordinances as it compares to the R6 district and include the occupant limit per the building and safety codes (the lesser of).

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

52. The applicant shall maintain an accessible passenger boarding area adjacent the bus stop shown on project plans (attached).
53. Metro Transit operates campus SAFERide bus service seven evenings a week during the academic year along Lake Street. Metro bus stop #0068 is on the west side of the Lake Street, approximately 100 feet north of W. Johnson Street.

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

54. Park dedication required for this project is 301,000 square feet based on 700 square feet per unit. Credit is granted for 22,770 square feet in Murray Mall, resulting in a 278,230 square-foot deficit. The required dedication shall be paid as a fee in lieu of land, based on the actual value of the acreage up to a maximum of \$1.65 per square foot. The value is determined by the Real Estate Unit and is based on the land value prior to development approval. The maximum fee would be \$459,079.50, based on **430** units. Park Development Fees are \$186,991.00 (**430** units X \$501.11 per unit).
→ Total estimated park fees (based on **430** units): \$646,070.50

Park fees shall be paid prior to each SIP signoff, or the developer may pay half the fees and provide a letter of credit for the other half.

Please contact my office at 261-9632 if you have questions about the following five items:

55. 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.
56. 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.
57. 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.
58. 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.

59. 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.

After the plans have been changed as per the above conditions, please file **twelve (12) sets** of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

Approval of this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

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

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty (30) months of Common Council approval of the General Development Plan or within eighteen (18) months of the recording of the Specific Implementation Plan, whichever is less, the basis right of use for the areas, when in conformity with the approved Specific Implementation Plan, shall lapse and be null and void unless the project, as approved, is commenced by the issuance of a building permit. If a new building permit is required pursuant to Sec. 28.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain Specific Implementation Plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
 Planner

cc: Kathy Voeck, Assistant Zoning Administrator
 Gary Dallman, City Engineering
 John Leach, Traffic Engineering
 John Lippitt, Madison Fire Department
 Si Widstrand, Parks Division
 Barb Constans, CDBG Office
 Tim Sobota, Metro Transit

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit (T. Parks)	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coordinator
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Metro Transit
<input checked="" type="checkbox"/>	CDBG Office	<input type="checkbox"/>	Other: