



Report to the Plan Commission

April 9, 2012

Legistar I.D. #25647
725-749 University Row
PUD Amendment

Report Prepared By:
Timothy M. Parks, Planner
Planning Division

Requested Action: Approval of a request to rezone 725-749 University Row from Planned Unit Development-General Development Plan (PUD-GDP) to Amended Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) 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 Unit Development.

Applicable Regulations & Standards: Section 28.12(9) provides the process for zoning map amendments; Section 28.07(6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments.

Summary Recommendation: The Planning Division recommends that the Plan Commission recommend **approval** of Zoning Map Amendment ID 3588 and 3589, rezoning 725-749 University Row from PUD-GDP to Amended PUD-GDP-SIP, to the Common Council subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Applicant & Property Owner: Paul Lenhart, University Crossing, LLC; 2020 Eastwood Drive; Madison.

Agent: Doug Hursh, Potter Lawson, Inc.; 15 Ellis Potter Court; Madison.

Proposal: The applicant is requesting approval of an Amended PUD-GDP-SIP to allow construction of two buildings at the University Crossing development. The first building will be a mixed-use building to be generally located at the corner of University Row and Silvertree Run that will include 115 apartment units and 5,800 square feet of ground-floor retail surrounding a 337-stall parking garage. The second proposed building will be a three-story, 54,000 square-foot office/retail building to be located adjacent to the intersection of University Avenue and N. Whitney Way.

Parcel Location: The area of the Amended PUD-GDP-SIP comprises approximately 3.8 acres of the 14.3-acre University Crossing development site. The area to be rezoned is bounded by University Avenue on the north, University Row on the west, Silvertree Run on the south and N. Whitney Way on the east; Urban Design District 6; Aldermanic District 19 (Clear); Madison Metropolitan School District.

Existing Conditions: All of the buildings previously located on the University Crossing site have been demolished. Currently, construction of the subdivision improvements is occurring.

Surrounding Land Use and Zoning:

North: Single-family residences in the Spring Harbor neighborhood and Water Utility Well 14 across University Avenue, zoned R1 (Single-Family Residence District);

South: Wisconsin Public Service Commission Building, zoned C3 (Highway Commercial District) across Silvertree Run;

West: UW Health Digestive Health Clinic (under construction), zoned PUD-SIP;

East: Multi-tenant commercial development across N. Whitney Way, zoned C3.

Adopted Land Use Plan: The Comprehensive Plan identifies most of the University Crossing property for future Employment development with the exception of the N. Whitney Way frontage, which is recommended for Community Mixed-Use development.

The Comprehensive Plan also identifies the Old Middleton Road and N. Whitney Way intersection for future Transit-Oriented Development, which generally calls for a compact, mixed-use development pattern that focuses the highest density and intensity of development on high-capacity transit stops and recommends the creation of both horizontal and vertical mixed-use. TODs are recommended to include a variety of land uses within walking distance of transit facilities, including a mix of housing, retail, service and employment uses that generate pedestrian activity and located in buildings placed in a fashion that creates a sense of spatial enclosure and a high-quality public realm.

The subject site is also located within the boundaries of the Spring Harbor Neighborhood Plan, which includes land use recommendations that largely follow the Comprehensive Plan recommendations for the University Crossing property. The neighborhood plan also includes a number of design recommendations for new development and for properties along the University Avenue corridor.

Environmental Corridor Status: This subject site is not located within a mapped environmental corridor.

Public Utilities and Services: This University Crossing development is served by a full range of urban services, including Metro Transit, which operates daily transit service along University Avenue west of the N. Whitney Way intersection and weekend-only service along N. Whitney Way between University Avenue and Old Middleton Road.

Zoning Summary: The subject site will be zoned PUD-GDP-SIP. The project will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Wellhead Protection (Zone A, WP-14), Urban Design (UDD 6), Utility Easements, Barrier Free
No:	Floodplain, Landmarks, Waterfront Development
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>	

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) to guide redevelopment of the site as a mixed-use/ employment development, and Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a 60,000 square-foot medical office building on a 3.75-acre

parcel in the first phase, and approved the preliminary plat and final plat of University Crossing, creating 7 lots for the future development and 1 outlots 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.

Project Review, Analysis & Conclusion

The applicant, Paul Lenhart, is requesting specific implementation plan approval to allow construction of two buildings in the next phase of the University Crossing Planned Unit Development. The proposed buildings will occupy approximately 3.8 acres of the 14.3-acre University Crossing site generally located at the southwestern corner of University Avenue and N. Whitney Way. The University Crossing general development plan and subdivision plat were approved in the fall of 2011. Implementation of the project commenced this winter with the demolition of 11 buildings previously located throughout the site and the installation of development-wide subdivision improvements. In addition, construction of a three-story, 60,000 square-foot building medical office building for the UW Health Digestive Health Center (Building 1) is under way on the western half of the overall project's frontage along University Avenue.

The two buildings proposed in the current phase, identified as Buildings 4 and 6, will be located in the northeastern section of the 14.3-acre planned unit development on land generally bounded by University Avenue on the north, N. Whitney Way on the east, and two new public streets created by the University Crossing plat, University Row, which extends north-south from University Avenue, and Silvertree Run, which extends east-west into the site from N. Whitney Way. University Row and Silvertree Run form the western and southern edge of the proposed rezoning, respectively. The block on which Buildings 4 and 6 are proposed will be served by an internal private drive that will serve the three buildings that will ultimately be built in this portion of the planned unit development, including Building 5, which will be developed in the future at the corner of Silvertree Run and N. Whitney Way following approval of a separate specific implementation plan. The general development plan calls for Building 5 to be developed either as an approximately 40,000 square-foot hotel or office building.

Building 4 is proposed as a three-story, 54,000 gross square-foot office/ retail building to be located adjacent to the intersection of University Avenue and N. Whitney Way. The building will include a under-building parking level with 35 automobile stalls and 21 bicycle stalls. Access to the under-building garage will be located along the southern façade at the southwestern corner of the proposed building, where a small loading zone is also proposed. The parking level will be partially exposed along the western and southern facades. The primary entrance to the building will be located midway along the southerly façade facing the internal private drive serving the center of the subject block. The architecture of Building 4 will be similar to the architecture of Building 1 to the west and will reflect a contemporary design, with a contrasting exterior comprised of brick, metal panel and terra cotta panel above a finished concrete base. Metal panels will also be used to screen the building's mechanical equipment, which will be located in a large enclosed area on the eastern half of the roof.

Building 6 will be located on the western half of the subject site and will be bounded by University Row on the west, Silvertree Run on the south, and the private internal drive on the north and east. The proposed mixed-use building will include 115 apartment units and 5,800 square feet of ground-floor retail surrounding a 337-stall parking garage that is intended to serve Buildings 4, 5 and 6. The building will principally stand four stalls tall with the exception of at the northwesterly corner, where it will stand five stories in height at the intersection of University Row and the private drive.

The 337 structured automobile stalls will be located on three levels, including one level (Lower Level 2) located completely below grade. Lower Level 1 of the proposed building will include the 5,800 square feet of ground level retail space and one of two proposed lobbies to serve the residential units. The retail space and first residential lobby will be located along the westerly façade of Building 6 facing University Row. The second level of parking will also be located on this level, with the first of two driveways serving the parking garage to be accessed from University Row between the retail space and western residential lobby.

The uppermost level of parking and 20 apartment units are proposed to occupy the first full floor above grade. The proposed apartments will be located along the exterior, street sides of the building primarily facing the private drive and University Row. Two driveways—one from Silvertree Run and the other from the private drive—will provide access to the parking garage. The second residential lobby will also be located on this level along the eastern façade.

The second floor of Building 6 will include 31 residential units to be located on both sides of a central corridor and a rooftop garden to be located atop the parking garage. The proposed rooftop garden will include a heavily landscaped central greenspace, a large seating terrace at the northeasterly corner, a central walking path connecting the northwesterly and southeasterly corners of the apartment complex, and private patios for the residential units abutting the garden. The third and fourth floors of Building 6 will each include 32 apartments with exterior units overlooking the public streets or private drive and the interior units overlooking the second floor garden.

According to the plans submitted by the applicant, the 115 residential units proposed in Building 6 will be comprised of 7 studio apartments, 63 one-bedroom apartments, and 45 two-bedroom units. All of the proposed units will be provided with a patio or balcony. The architecture of the building will continue the modern aesthetic emerging at University Crossing and will include an exterior comprised of three types each of brick, metal panel and fiber cement siding used in a fashion intended to modulate and articulate the long facades of the building.

The private drive serving this block will be constructed with 65 perpendicular parking stalls (including 4 accessible stalls) located along both sides. A landscaping plan submitted for the project calls for the drive to be street-like in its appearance, with planters and planting strips on both sides of the sidewalks to be constructed on both sides of the drive, and street trees and bike parking to be located in the terrace adjacent to the curbs. A plaza is proposed in the space between the southeasterly corner of Building 4 and the north wall of a future Building 5 where the private drive curves from north-south to northwest, with the opportunity for an outdoor eating area for a restaurant tenant in Building 4 shown.

The proposed specific implementation plan for Buildings 4 and 6 is largely consistent with the approved University Crossing General Development Plan. The 2011 general development plan called for a three-story, 63,000 square-foot retail/office building to be built adjacent to the University-N. Whitney intersection on the Building 4 site, and a 390-stall parking structure surrounded on three sides by a 65-unit multi-family residential building to be built on the Building 6 site. A private drive with surface parking is shown extending through this block on the general development plan to provide the primary access to the retail/office building, Building 5 hotel or office use, and parking structure. The one deviation from the approved PUD-GDP is the proposed residential density of Building 6, which will be nearly double the 65 units previously approved, thereby requiring the proposed amendment to the general development plan also included with this application. The applicant has indicated that the unique opportunity to create a rooftop open space atop the structured parking with residential units overlooking

it while maintaining units on the exterior of the building overlooking the streets drove the proposed increase in density.

Staff believes that the amended general development plan and specific implementation plan can meet the standards and criteria for approval of zoning map amendments and planned unit developments. The three-story, 54,000 square-foot retail/ office building and mixed retail/ residential building proposed feature high-quality architecture and adhere to the pattern and character of development called for in the approved University Crossing General Development Plan, which emphasizes the creation of active street frontages with strong pedestrian amenity. The two buildings proposed will continue the implementation of the medium-density infill employment and mixed-use center originally envisioned for the University Crossing site in both the Comprehensive Plan and Spring Harbor Neighborhood Plan. Although the applicant proposes a substantial increase in residential density in Building 6, staff believes the additional density can easily be accommodated within the development and that it will not result in an undue burden on public services. Staff believes the additional density will enhance the activity present within the University Crossing development, and feels that it reflects the character and intensity of development generally recommended for properties with the Community Mixed-Use and Transit-Oriented Development designations in the Comprehensive Plan.

The Urban Design Commission reviewed the amended general development plan and specific implementation plan on March 7, 2012 and granted initial approval of the project (see attached report).

A Transportation Demand Management (TDM) Plan was included in the 2011 general development plan. As a condition of approval of that project, the developer is required to submit an updated TDM for review with each specific implementation plan submittal for future phases of University Crossing. A TDM submitted with the specific implementation plan for Buildings 4 and 6 largely mirrors the earlier TDM with the exception of noting the bicycle facilities that will be provided for both buildings. Staff believes that this TDM is adequate given character of the proposed development. However, staff recommends that the developer serve as the transportation coordinator for Buildings 4 and 6 (and potentially future Building 5) so as to provide future residential and commercial tenants a central resource for information on transportation options within and adjacent to the development.

Staff Recommendations, Conditions of Approval & General Ordinance Requirements

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission recommend **approval** to the Common Council of Zoning Map Amendment 3588 and 3589, rezoning 725-749 University Row from PUD-GDP to Amended PUD-GDP-SIP, subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

1. That the applicant work with the Planning Division prior to final approval for recording and the issuance of building permits to refine Section 1 of the letter of intent to modify or remove sections of the text not pertinent to the approval of Buildings 4 and 6.
2. That a final Transportation Demand Management Plan be submitted for approval by the Director of the Planning Division prior to recording of the specific implementation plan for Buildings 4 and 6. The final TDM shall remove all references to TDM provisions not specifically applicable to these

buildings, and shall identify a transportation coordinator for Buildings 4-6 to serve as a central resource for transportation information and incentives for tenants of those buildings.

3. That the developer receive final approval from the Urban Design Commission of the specific implementation plan prior to recording of the Planned Unit Development.

The following conditions have been submitted by reviewing agencies:

City Engineering Division (Contact Janet Dailey, 261-9688)

4. The concurrent CSM application shall be completed and CSM recorded with the Dane County Register of Deeds so that proper Address-Parcel-Owner (APO) data can be compiled and activated in appropriate city databases to ensure that all building permits are to be administered and issued under the current and appropriate parcel data.
5. Communications via email from Krupp Construction Project Manager Mark DeAmicis indicates the proposed University Crossing Apartments have modified their floor plans to increase the number of proposed units from 115 to 118. Once approvals are obtained for this increase, please coordinate the final address plan for the site with City Engineering Mapping staff (Lori Zenchenko LZenchenko@cityofmadison.com or 266-5952).
6. The applicant will provide information showing that the loading dock can sustain greater than 1 foot of ponding at the inlet without flooding the structure or shall switch to a pump system.
7. The proposed “public” sanitary sewer in the easement was not included in the City’s sewer extension submittal. If the sewer is to be public, a sewer extension submittal will need to be completed by the City Staff. If the sewer is to be private, the sanitary sewer will need to be labeled as private. Typically, water and sanitary are either both public or both private.
8. The applicant shall review proposed storm and sanitary sewer plans with the City Engineer for compatibility with the proposed construction project on University Avenue.
9. Extend proposed public sewer easement to allow for sewer maintenance access off of Silvertree Run.
10. The applicant shall coordinate all construction activities with the University Avenue Street Reconstruction Project.
11. Building permits for this project shall not be approved until the existing 42-inch public storm sewer is relocated and the existing public storm sewer easement is released per the plans approved for the University Crossing Plat.
12. Redesign the private storm sewer to be relocated outside the proposed public sanitary and public water main easement(s).
13. Additional separate access easements for maintenance and repairs will be required for the public sanitary and water main.
14. 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.

15. The approval of this planned unit development 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.
16. 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.
17. The applicant shall replace all sidewalk and curb and gutter abutting the property, which 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.
18. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
19. All work in the public right of way shall be performed by a City-licensed contractor.
20. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan in PDF format to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816.
21. All damage to the pavement on University Avenue, University Row, Silvertree Run, and N. Whitney Way adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
22. 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.
23. Prior to final approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 of the Madison General Ordinances.

24. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
25. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
26. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. (Per MGO 37.05(7))
27. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.

Traffic Engineering Division (Contact Bryan Walker, 267-8754)

28. All on street loading and parking restrictions shall be reviewed and approved by Traffic Engineering after the project is completed. The loading zone shown on University Row is not approved with this plan and shall be removed when final plans are submitted for approval. All loading zones required by Zoning will need to be accommodated on site without using public right of way.
29. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'.
 30. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
 31. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

32. A "Stop" sign shall be installed at a height of 7 feet at the driveway approaches. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

Zoning Administrator (Contact Pat Anderson, 266-5978)

This agency did not submit comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

33. The developer shall pay approximately \$259,890.80 for park dedication and development fees for 115 new multifamily units.

34. The developer must select a method for payment of park fees before signoff on the SIP.

35. Approval of plans for 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.

36. This development is within the Garner impact fee district (SI29).

Fire Department (Contact Bill Sullivan, 261-9658)

37. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows.

34a.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered.

34b.) Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.

34c.) Fire lanes shall be constructed of concrete or asphalt only, and designed to support a minimum load of 85,000 lbs.

34d.) Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28 feet.

Water Utility (Contact Dennis Cawley, 261-9243)

38. This property is in a Wellhead Protection District. The Water Utility General Manager or his designated representative shall approve all future land uses on this property.

39. The applicant shall notify the Madison Water Utility of any private wells located on this property. All private wells shall be abandoned in accordance with MGO Sec. 13.21.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.