



DRAFT Report to the Plan Commission

September 24, 2010

Legistar I.D. #19379
5105-5117 University Avenue
& 610-702 N. Whitney Way

PUD Rezoning | Demolition Permit | Preliminary Plat

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

Requested Actions: Approval of a request to rezone 5105-5117 University Avenue and 610-702 N. Whitney Way from C3 (Highway Commercial District) to Planned Unit Development-General Development Plan (PUD-GDP) to allow the future construction of a mixed-use/ employment development following the demolition of 12 existing commercial buildings, and approval of a preliminary plat creating 12 lots for the future development and 3 outlots for private open space.

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; Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits. The subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.

Background Information

Applicant & Property Owner: Erdman Real Estate Holdings, LLC/ Erdman Future, LLC and University Avenue Properties, LLC; 5117 University Avenue; Madison; Jon Snowden, representative.

Surveyor: Wayne Barsness, D'Onofrio Kottke & Associates; 7530 Westward Way; Madison.

Proposal: The applicants are requesting approval of a rezoning of the site to Planned Unit Development-General Development Plan zoning to allow the future construction of between 420,000 gross square feet and 705,000 gross square feet of new floor area primarily devoted to employment uses with supporting retail and hospitality uses and 1,700 to 3,000 parking spaces following the demolition of approximately 12 existing commercial buildings located throughout the subject site. The existing five-story, 90,000 square-foot Wisconsin Public Service Commission (PSC) Building located in the southeastern corner of the subject site will remain. Implementation of the proposed planned unit development will occur over a 5-15 year period following approval of specific implementation plans for individual projects.

Parcel Location: Approximately 17.5 acres located at the southwestern corner of University Avenue and N. Whitney Way; Urban Design District 6; Aldermanic District 19 (Clear); Madison Metropolitan School District.

Existing Conditions: The subject site is developed with approximately 12 commercial buildings, including the PSC Building, the former Merrill Springs Inn, former Marshall Erdman & Associates office buildings, a vacant restaurant, a vacant convenience store for a previously demolished gas station, and a series of warehousing and storage buildings. Much of the site is otherwise predominated by surface parking to serve these buildings. The entire site is zoned C3 (Highway Commercial District).

Surrounding Land Use and Zoning:

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

South: Wisconsin Southern Railroad right of way and Old Middleton Road; Knupp & Watson & Wallman Advertising, zoned C2 (General Commercial District); single-family residences, zoned R2 (Single-Family Residence District); two-family residences, zoned R3 (Single- and Two-Family Residence District) and PUD-SIP;

West: Trillium Homes, zoned R4 (General Residence District);

East: Multi-tenant commercial development, Taco Bell, zoned C3 (Highway Commercial District).

Adopted Land Use Plan: The Comprehensive Plan identifies most of the site for future employment development with the exception of the N. Whitney Way frontage, which is recommended for neighborhood mixed-use development. In addition, the Comprehensive Plan identifies the Old Middleton Road and N. Whitney Way intersection for future transit-oriented development.

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 property but also include a recommendation that the neighborhood mixed-use development recommendation along N. Whitney Way be amplified to the community mixed-use development designation, which typically connotes a more intensive development form and mix of uses. The Spring Harbor Neighborhood Plan also includes myriad design recommendations for new development and the University Avenue corridor.

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. Additionally, Metro Transit operates daily transit service along University Avenue west of the N. Whitney Way intersection. Metro Transit operates additional weekend only service along N. Whitney Way between University Avenue and Old Middleton Road.

Zoning Summary: The subject site is proposed to be rezoned PUD-GDP, which will be reviewed in the following sections. Subsequent rezonings of the site from PUD-GDP to PUD-SIP will be required prior to the construction of individual components/ phases of the planned unit development. The rezoning of the site to the Planned Unit Development zoning district will not impact the Wellhead Protection zoning overlay (Well 14 – 5130 University Avenue at Flambeau Road) that includes the subject site. Wellhead Protection zoning restricts or prohibits certain land uses within a certain proximity of a Water Utility well regardless of the conventional zoning of the property.

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>	

Project Review

The applicants are requesting approval to rezone approximately 17.5 acres located in the southwestern quadrant of University Avenue and N. Whitney Way from C3 (Highway Commercial District) to PUD-GDP to allow the future construction of a mixed-use urban employment center containing between 420,000 gross square feet and 705,000 gross square feet of primarily employment uses with supporting retail and hospitality uses following the demolition of approximately 12 existing commercial buildings. The existing five-story, 90,000 square-foot Wisconsin Public Service Commission (PSC) Building located in the southeastern corner of the subject site adjacent to N. Whitney Way will remain.

The applicants are also requesting approval of a preliminary plat for the proposed Erdman Center Planned Unit Development, which proposes 12 lots and 3 outlots corresponding to the future development.

Background & Existing Conditions

The 17.5-acre site is comprised of 8 parcels and includes approximately 680 feet of frontage along University Avenue and 700 feet of frontage along N. Whitney Way. The southern boundary of the site is formed by Wisconsin Southern Railroad right of way, with Old Middleton Road located next south from the site. Most of the western property line of the site is shared with the Trillium Homes residential development, with the remainder of the western edge of the site bordering a series of 6 commercial properties located along and adjacent to University Avenue that include a Perkins Restaurant, Good'n Loud Music, Spring Harbor Veterinary Hospital and Midas Muffler. The land east of the site across N. Whitney Way is developed with a series of 4 commercial buildings housing a variety of retail, service and small office uses, while the land north of the site and University Avenue is developed with single-family residences in the Spring Harbor neighborhood and Water Utility Well 14. The subject site is located in Wellhead Protection Zone A for Well 14.

The 12 buildings on the subject site that are proposed for demolition include:

- beginning immediately north of the PSC Building along N. Whitney Way, the 2,000 square-foot, one-story, brick and concrete block Open Pantry convenience store and surface parking lot (650 N. Whitney Way);
- the one-story, 5,000 square-foot former Irish Waters restaurant, which sits approximately midway along the site's N. Whitney Way frontage and includes a large parking area that extends north to University Avenue. This site also includes the concrete slab of a previously demolished Kentucky Fried Chicken restaurant that formerly occupied the corner of University Avenue and N. Whitney (702 N. Whitney Way);
- moving west along the University Avenue frontage of the site, the former Merrill Springs Inn, a four-building complex containing a total of 36 motel rooms (5101 University Avenue);
- a tall, one-story brick office building at 5105 University Avenue, which contains approximately 35,000 square feet of mostly vacant space and includes a surface parking lot along the westerly side wall of the building;
- a low-rise one- and two-story concrete block and wood-sided office building that was formerly the home offices of Marshall Erdman & Associates, which the applicant indicates contains approximately 35,000 square feet of space (5117 University Avenue);
- a one-story, approximately 12,800 square-foot metal storage building (5119 University Avenue) that extends along the western property line of the site;

- two roughly identical 100-foot wide and 205-foot long metal warehousing buildings located near the center of the overall site, which are addressed as 5107 and 5111 University Avenue, and;
- an approximately 150-foot wide and 250-foot long metal warehousing building located west of the PSC Building and ramp (5115 University Avenue).

The applicants indicate that all of the buildings listed above are “either obsolete due to age and condition or do not meet the program needs of the adaptive reuse of the site.” A staff visit to the site found the exteriors of the metal warehouse buildings to be in poor to below-average condition with rust and exterior wall damage evident on most of those buildings. The exteriors of the former convenience store, restaurant and office buildings appeared to be in average or better condition. Staff did not tour the insides of the buildings or enter the hotel site.

Additionally, the applicants propose to raze the two-level parking structure located adjacent to the western wall of the PSC Building in later phases of the proposed redevelopment project. The structure is described in the demolition materials as approaching the end of its functional life and is unsuitable for renovation or expansion as part of the redevelopment according to the applicant. A temporary asphalt and concrete parking lot located west of the parking structure will also be removed in later phases of the redevelopment.

The grade of the development site generally slopes from the southern and eastern edges of the property towards the northwestern corner of the site, with the most prominent topography present near the PSC parking structure and temporary parking lot along the southern property line. Vegetative cover on the site includes a mix of mature trees at various points along the western and southern edges of the property and a variety of parking lot and site landscaping materials. It is anticipated that most of the existing vegetation on the property will be removed as part of the redevelopment.

General Development Plan & Preliminary Plat

The general development plan for the subject site proposes the future construction of between 420,000 gross square feet and 705,000 gross square feet of space in 10 new buildings to be primarily located along a new street that will extend through the site from intersections with both University Avenue and N. Whitney Way. As noted previously, the 90,000 square-foot PSC Building will remain as part of the PUD-zoned redevelopment.

Beginning at University Avenue, the new street, shown as Erdman Center Drive, will parallel the western edge of the development site. Traffic along this portion of the new street is proposed to circulate around a 32-foot wide, 210-foot long median. Angled-parking is proposed along the inside edges of the center median, with parallel parking on the outside curb. At the end of the center median, the new street will narrow into a 66-foot right of way before turning sharply east parallel to the southern property line of the site. Adjacent to N. Whitney Way and the PSC Building, the general development plan calls for a second, smaller median division of the street, with a 44-foot wide, 135-foot long private island proposed. The center median at N. Whitney Way will be organized around an existing telephone switch gear house that is proposed to remain. The conceptual street cross-section included in the general development plan proposes a 13-foot space between the back of curb and edge of right of way on both sides, which will include public sidewalks and room for streetscape features and street tree planting. The general development plan and preliminary plat propose that Erdman Center Drive be dedicated to the City as a public street. The preliminary plat proposes outlots for the two medians adjacent to University and N. Whitney. Outlot 2 will be a private outlot for stormwater management and

the existing telephone switch gear house. The developer proposes to dedicate Outlot 3 to the City for public open space and stormwater management.

The developer indicates that the primary focus of the project will be healthcare and hospitality-related uses with supporting neighborhood-serving retail, though the list of permitted uses and the general development concept also calls for a substantial amount of business and professional office uses to be developed. The general development plan identifies the targeted uses of proposed Lots 1, 4, 9 and 10 as "Clinic/ Retail" and Lots 2, 5 and 8 as "Office/Retail." Lot 3 is described as a "Suited Hotel", which the applicants have described in meetings with Planning staff as a health-related hospitality use similar to Ronald McDonald House. Lot 7 of the general development plan is identified for use as a full-service hotel use, while Lot 11 will be developed as a restaurant and/ or office use at the corner of University Avenue and N. Whitney Way. The PSC Building will occupy proposed Lot 6, while an envisioned shared parking structure is proposed for Lot 12. Overall, the general development plan estimates that retail and commercial uses in the planned unit development will account for between 30,000-100,000 square feet of the 420,000-705,000 gross square feet of space proposed, with no individual first floor retail use allowed to exceed 30,000 square feet. The general development plan also includes the potential for up to 100 residential units to be developed within the planned unit development, though no specific references regarding where those units may be incorporated was included.

The general development plan provides a range of development intensity for the 17.5-acre site, with all but one of the 10 new buildings to be at least two stories tall, including 8 buildings that are proposed to be a minimum of three stories tall. Buildings in the proposed development are not proposed to exceed six stories and 95 feet in height. The plan calls for between 1,792 and 2,985 parking spaces to serve the future development depending on the ultimate mix of uses and building density to be developed. The zoning text provides general parking ratios of 3.0-3.5 stalls per 1,000 square feet of general office space, 4.0-4.5 stalls per 1,000 square feet of clinic space, 3.5-5.0 stalls per 1,000 square feet of retail space and 4.5-7.0 stalls per 1,000 square feet of restaurant space. The general development plan indicates that future parking for the development will utilize a combination of surface parking, under-building parking and aboveground structures, with shared parking also proposed to maximize the development potential of the site. Final parking counts and strategies for individual components of the project will be determined with future specific implementation plans.

The PUD zoning text and conceptual plan for building placement included in the general development plan call for buildings located along proposed Erdman Center Drive to be within 4 feet of the right of way to provide a sense of spatial enclosure and a strong pedestrian environment along that street. Buildings located along University Avenue and N. Whitney Way will have a minimum setback of 20 feet from those streets per the proposed zoning text. However, the concept plan shows that with the exception of the proposed Lot 11 building at the corner of University and N. Whitney, those buildings will be set back further back from those streets to accommodate parking or access lanes to serve the future buildings. In the case of the clinic/retail buildings on Lots 1 and 10, a double-loaded parking aisle is shown between those buildings and the University Avenue right of way, while a guest drop-off area and short-term parking are shown between the hotel on Lot 7 and N. Whitney Way.

The general development plan includes a draft architectural design code and general design principles intended to enforce the developer's vision for the site as an urban-scale mixed-use employment center. The architectural design code proposes a private set of design guidelines for the planned unit development that will be enforced by a private architectural review committee, which will screen individual projects for adherence to the development's private guidelines before that project seeks formal City specific implementation plan approvals. Among the design principles proposed include an

emphasis on primary building entrances being oriented to the street with secondary entrances oriented to side streets or parking areas, the inclusion of window and door openings on at least 50% of ground floor facades, and the screening of service areas and rooftop mechanical equipment from abutting streets and walkways. The design guidelines and code place a particular emphasis on individual buildings being harmonious with other buildings within the development while allowing a range of architectural styles. The applicants indicate that City staff and the nearby Spring Harbor neighborhood will have input into the design code prior to submittal of the first specific implementation plan for the overall development.

The third outlot proposed on the preliminary plat is identified as Outlot 1 and includes approximately 2.5 acres of land extending along the western and southern edges of the subject site. The general development plan breaks the 2.5-acre outlot into 3 components, including a 0.7-acre park space located in the southwestern corner of the site south of Lot 3 and west of Lot 4, a 1.2-acre linear park extending along the western property line west of Lots 1-3, and a 20-foot wide regional bike path extension extending along the southern property parallel to the railroad south of Lots 4-6. The applicants indicate that the linear park along the western edge of the site is also intended to serve as a buffer between the development and adjacent Trillium Homes. Both the general development plan and preliminary plat propose that Outlot 1 be dedicated to the City as public open space. The Parks Division, however, has indicated that it will not accept this outlot as a dedicated public parkland.

The general development plan includes a conceptual phasing plan for how the development may build out. The phasing plan suggests that the clinic/retail buildings on Lot 1 and Lot 4 and Erdman Center Drive would be constructed in the first phase, with surface parking serving the Lot 1 building to be provided on Lot 2 on an interim basis. The second phase would include another clinic/retail building on Lot 10 and the restaurant/office building on Lot 11, with supporting surface parking to be built on Lot 12. The third phase conceptually calls for the removal of the surface parking on Lot 2 serving Lot 1 in favor of an office/retail building with rear-building structured parking, as well as construction of the proposed suited hotel with rear-building structured parking on Lot 3. The fourth and final phase would include construction of the hotel on Lot 7, office/retail building on Lot 8 and clinic/retail building on Lot 9 in conjunction with the construction of a shared parking structure on Lot 12 to replace the second phase surface parking lot. While the conceptual phasing plan was provided to suggest how the development could be implemented, the developers have stressed the need for flexibility with regard to how the project builds out.

The general development plan notes that a Transportation Demand Management (TDM) Plan will be developed to create multi-modal transportation options for the project, which is well-served by daily Metro Transit service. An overall TDM Plan for the project will be submitted as part of the first specific implementation plan, and implementation of the TDM Plan will be a component of subsequent specific implementation plans for individual projects.

Finally, the subject site has also been identified as a potential station location for the Transport 2020-envisioned commuter rail service that would operate on the adjacent Wisconsin Southern Railroad corridor. The applicants have indicated that they are open to the future location of a station on the subject site but have not identified the location for that station on their conceptual plans due to the preliminary nature of plans for the commuter rail system. The general development plan states that the development of sites adjacent to the rail corridor (Lots 4-6), including a potential future redevelopment of the PSC Building, should be reviewed based on the status of rail transit planning at that time.

Analysis

The proposed general development plan for Erdman Center offers a compelling redevelopment vision for a prominent 17.5-acre property located along a key gateway corridor into the City and University of Wisconsin campus. It is noteworthy to point out that most of the developers' vision for the site could be accomplished in the existing C3 Highway Commercial District. However, staff feels that the proposed rezoning of the site to the Planned Unit Development zoning district offers the best framework to ensure that the developers' vision for the site and the recommendations of the Comprehensive Plan and Spring Harbor Neighborhood Plan are implemented to the fullest extent possible. However, it will be important that subsequent specific implementation plan requests are carefully reviewed for conformance with the general development plan and adopted City plans to make certain the vision for a moderately dense urban mixed-use/employment center is realized as development proceeds.

Conformance with Adopted City Plans

As noted in the General Information section of this report, the Comprehensive Plan identifies all but the N. Whitney Way frontage of the site for future employment development, which the Plan describes as predominantly office, research and specialized employment areas. Retail and service establishments primarily serving employees and users of the district are encouraged, while retail uses targeted to the larger community are discouraged. Residential uses are generally not identified in employment districts but instead are thought to be appropriate near them as part of mixed-use or medium-and/or high-density residential districts. The Comprehensive Plan recommends that employment districts be located along or near major arterial or collector roadways and encourages future employment centers to be compact urban activity centers as opposed to low-density, suburban centers. Multi-modal travel and good circulation patterns within the development are also recommended.

The western frontage of N. Whitney Way on the subject site is included in a larger area recommended for neighborhood mixed-use development that also includes properties along portions of Old Middleton Road between University and Gettle avenues and the triangle formed by University, Old Middleton and N. Whitney. Areas recommended for mixed-use development in the Comprehensive Plan are generally envisioned for development as activity centers that include both residential and non-residential uses, with mixed-use buildings encouraged but not required. Neighborhood mixed-use areas are intended to provide surrounding neighborhoods and districts with convenience shopping and service uses, as opposed to the larger community and regional mixed-use areas in the plan, which are intended to serve larger populations and can be developed at higher densities.

In the case of areas recommended for neighborhood mixed-use development, the Comprehensive Plan recommends that new buildings be developed between two and four stories in height, with one-story buildings generally permitted only in limited circumstances. Buildings should be well-designed and placed close to the sidewalk and street, with parking placed behind or beneath buildings, and land uses within mixed-use sites should be well-integrated with one another. The gross square-footage of commercial buildings should generally not exceed 10,000 square feet, while residential densities should not exceed 40 units an acre unless a higher density is recommended in a neighborhood or special area plan (Comprehensive Plan, pages 2-86 & 2-87).

As noted earlier, the subject site is also located within the boundaries of the Spring Harbor Neighborhood Plan. The land use recommendations in the neighborhood plan largely follow the land use recommendations for the property in the Comprehensive Plan, though a recommendation in the

Spring Harbor Neighborhood Plan proposes that the neighborhood mixed-use recommendation along both sides of N. Whitney Way that includes the eastern edge of the subject site and the triangular area opposite it be upgraded to the more intensive community mixed-use development designation.

The Planning Division believes that the proposed Erdman Center Planned Unit Development is largely consistent with the land use recommendations of both the Comprehensive Plan and Spring Harbor Neighborhood Plan. While employment uses such as health-related businesses and general office are the primary focus of the 420,000-705,000 gross square-foot planned unit development, the inclusion of between 30,000-100,000 square feet of retail and commercial uses and up to 100 residential dwelling units suggests a strong mixed-use component that staff believes adheres to the spirit of the applicable land use recommendations. Instead of a stratified employment development adjacent to a mixed-use area as suggested in the Comprehensive Plan, the developer proposes a first floor service/ retail component throughout the development site intended to serve both users of the employment center and meet many of the goals of a mixed-use development. While the scale of many of the proposed buildings may exceed the four-story height maximum generally recommended for neighborhood mixed-use districts in the Comprehensive Plan, staff believes that the scale envisioned is appropriate for employment districts and is not inconsistent with the neighborhood plan's recommendations that the intensity of development along N. Whitney Way possibly be increased to the more intensive community mixed-use district. Staff also feels that the inclusion of retail, service, hospitality and limited residential uses within the project will create activity at the center outside of the primary business hours in a typical employment center.

In addition, the Comprehensive Plan identifies a transit-oriented development (TOD) node centered on the intersection of Old Middleton Road and N. Whitney Way intersection. General standards for TODs in the Comprehensive Plan call 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. Buildings should be placed in a fashion that creates a sense of spatial enclosure and a high-quality public realm, and include uses that generate pedestrian activity. TOD sites should include a highly interconnected system of streets, sidewalks and paths that serve the area. Parking in TODs should be managed to balance automobile accessibility with the need to provide an attractive and convenient environment for pedestrians, bikes and transit users, with the sharing of parking between uses and the use of structured and underground recommended. The intensity of development of a particular TOD node will vary by location and form of transit service present (Comprehensive Plan, pages 2-118–2-120).

As noted in the preceding section, the subject site has been identified as a potential station location for the Transport 2020-envisioned commuter rail service that could operate on the adjacent railroad corridor. The Erdman Center Planned Unit Development acknowledges the potential for rail transit to be developed adjacent to the southern edge of the subject site and indicates that the status of the rail transit project should be considered prior to the development of the lots adjacent to the rail corridor, which staff believes is appropriate given that specific plans for commuter rail are still being developed. Planning staff believes that if the vision of the proposed planned unit development is implemented as development proceeds, it will adhere to most of the recommendations for transit-oriented developments in the Comprehensive Plan.

The Spring Harbor Neighborhood Plan also includes a number of design recommendations for new development and the University Avenue corridor, including recommendations specific to the subject site

that call for the preparation of comprehensive redevelopment plans prior to any redevelopment of the Erdman properties. The plan recommends that a comprehensive plan for the Erdman site include building locations, site access, circulation and parking, and design standards addressing building scale and height. Redevelopment of the subject site should create a pedestrian friendly commercial node that includes a pedestrian friendly streetscape along University Avenue and N. Whitney Way.

The Plan encourages high quality, attractive buildings and site designs that build on the neighborhood's role as a gateway to the City. Buildings should incorporate details and proportions scaled to the pedestrian, with entrances at the front of the building, where people can enter from the street and sidewalk. It also emphasizes landscaping and buildings closer to University Avenue and Whitney Way, with parking for new buildings to be located at the rear and on the sides of buildings. When parking in front of buildings is proposed, it is recommended to include walkways, landscaping, architectural features and lighting to make these areas more attractive and inviting. Shared parking areas are encouraged. Driveways along University Avenue should be minimized to improve traffic flow and reduce pedestrian conflicts. A landscape buffer is recommended between the development site and existing residential areas to the west, with the existing, mature, vegetation along the western edge of the site to be preserved to the extent possible. Redevelopment should incorporate open spaces and green spaces in and around the sites that complement the character of the neighborhood, and sidewalks and multi-use trails should both be provided within the site and connecting to adjoining residential areas.

An appendix in the Erdman Center PUD acknowledges the pertinent design guidelines from the neighborhood plan and staff believes that the development pattern for the site envisioned in the general development plan adheres to many of the myriad recommendations for the site, particularly the plan for building placement along Erdman Center Drive, which includes buildings placed adjacent to that new street and a reliance on rear-building and mid-block development that also includes the potential for shared parking.

One noteworthy deviation from the Spring Harbor Neighborhood Plan design guidelines is the proposed setting back of all but one of the four buildings adjacent to University Avenue and N. Whitney Way from those streets behind small parking areas and access lanes, which does not follow the recommendation that new buildings be placed closer to University and Whitney. The plan also generally discourages front yard parking, but provides recommendations for how parking areas in front of buildings should be designed. The applicants have steadfastly insisted that a limited amount of parking is necessary between the buildings on Lots 1 and 10 and University Avenue in order to make the retail uses on the first floors of those buildings viable. They have also suggested that the presence of single-family homes across University Avenue, the volume of traffic along the University Avenue corridor and the lack of curbside parking support pushing the buildings back about 70 feet from the street. Should those future buildings be built as shown on the concept plan, staff believes careful attention will need to be paid to the design of the parking lots and the use of landscaping and streetscaping features adjacent to University Avenue to ensure that a strong pedestrian corridor results despite the building setbacks proposed. These are issues that are best addressed at the specific implementation stage of the PUD zoning process, when more detailed plans for individual buildings are submitted for review.

Other Considerations: Project Layout and Phasing

Staff has worked very closely with the applicants over the last year to help them refine their plans for the 17.5-acre subject site. In addition, the applicants appeared before the Urban Design Commission for an informational presentation on April 21, 2010 to receive input on the project. More recently, the project has been referred by the Urban Design Commission on August 4 and September 1, 2010 to allow the applicants an opportunity to respond to concerns expressed by members of the Commission about the general development plan.

While Planning staff and the Urban Design Commission have largely been supportive of the proposed redevelopment plans as shown at full build-out, concerns have been expressed by both about whether the outcome of the redevelopment would meet the goals and objectives of the Comprehensive Plan, Spring Harbor Neighborhood Plan and Urban Design District 6, in which the site is located, if full build-out is not achieved. The concerns stem from phasing concepts submitted previously by the applicants, which suggested a heavy reliance upon surface parking in the early phases of implementation and a lack of specificity regarding when and how the development would begin to achieve the density proposed at full build-out. Specifically, staff and the Commission both requested that the applicants identify trigger points for when structured parking would be introduced into the project so that it could create more efficient use of the site and begin to create the urban employment center espoused by the developers.

Compounding the concerns about the eventual intensity of development on the site were two development scenarios provided with earlier iterations of the general development plan. The first scenario was a low-density scenario that appeared to be predominated by surface parking and low-rise buildings not exceeding three stories in height. The second scenario included greater densities and structured parking but placed a number of caveats on the development achieving the higher building density, including the necessity for the project to receive Tax Increment Financing (TIF) in order for the higher density to be implemented.

The developers have attempted to respond to staff's and the Urban Design Commission's concerns, as well as concerns expressed by the Spring Harbor Neighborhood Association, by revising the general development plan to replace the low-density and high-density scenarios with a unified development table that outlines the minimum and maximum future heights and gross floor areas of each new building/ lot. The conceptual phasing plan for the project has also been revised to elaborate more on how the project could be implemented, including how structured parking could be introduced in the project. While the phasing plan is conceptual and implementation of the project may occur differently based on market demand for the site, staff believes that the revised phasing plan begins to address the earlier concerns regarding how the development would begin to achieve the vision of a moderately dense urban employment center versus a less dense alternative, which some Urban Design Commission members commented was suburban in appearance. Still, staff believes that careful attention will need to be paid with the review of subsequent specific implementation plans to ensure that the vision of a dense urban employment center espoused in the general development plan is being realized.

Staff has also expressed concerns about the design and future operation of proposed Erdman Center Drive, which, as noted earlier in this report, will extend through the site and serve as the design focus and access for most of the buildings in the new development. The applicants propose a number of special design elements along Erdman Center Drive, including angled street parking along a publicly

owned center median at its intersection with University Avenue, on-street parking and a variety of streetscape features intended to enhance the character of the project. City Engineering and Traffic Engineering staff have met with the developers and expressed concerns over the City's desire to maintain Erdman Center Drive as a public street due to various constraints, including street geometrics, snow removal and storage, and appointments such as streetlights and street furniture. The City Engineering and Traffic Engineering divisions have suggested instead that it may be better to design and operate the street as a *private* street, which could be built to City street standards with regard to construction, but provide the developers with more flexibility regarding geometry, programming and furnishing of the street space. If the street should be dedicated, constructed and operated as a public street, staff believes that a number of maintenance agreements between the developers and the City will be required, including agreements regarding snow removal, street operation, and maintenance and upkeep of special terrace treatments. Depending on the proposed improvements, maintenance and encroachment agreements may be required for elements not customarily included on City streets, such as special lighting fixtures and street furniture. The final design of the street may also be revised to better conform to City design standards regarding geometry. The street layout shall require more detailed design prior to recording the general development plan and the submittal of the final plat. Upon completion of a more detailed design, the applicant shall revise the right of way as required by the City Engineer and City Traffic Engineer.

The City may also not accept Outlots 2 or 3 for the center medians in Erdman Center Drive as public outlots unless they are covered by all necessary maintenance and encroachment agreements as determined by the City for the special treatments that the developer is proposing. The City Engineer will make a final determination on this proposed dedication prior to recording of the general development plan and submittal of a final plat. Also, as noted in the Project Review section of this report, the Parks Division has indicated that it will not accept Outlot 1 as public open space. However, City staff may consider accepting the southern portion of Outlot 1 adjacent to the railroad right of way as a dedication to the public for transportation purposes. A decision on this matter will be made prior to the applicants' submittal of the final plat of the property.

Demolition of Existing Buildings

The applicants indicate that all of the existing buildings located on the subject site are "either obsolete due to age and condition or do not meet the program needs of the adaptive reuse of the site" and staff has no information to the contrary. As noted previously, staff did not tour the insides of the buildings or enter the hotel site but visited the other buildings and found the exteriors of the metal warehouse buildings to be in poor to below-average condition with rust and exterior wall damage evident on most of those buildings. The exteriors of the former convenience store, restaurant and office buildings appeared to be in average or better condition. The Planning Division believes that the standards for demolition permits can be met with the applicant's request if the proposed rezoning of the site to PUD is approved. The proposed alternative use of the property will be more economically productive and staff believes that the redevelopment of the property as envisioned in the general development plan has more potential to implement adopted plan recommendations for the property than the existing buildings, especially with regard to the density and general design of the project.

As a condition of approval of the demolition permit, staff recommends that all asphalt and gravel surfaces adjacent to any demolished building be removed and the affected areas graded and seeded with grass, and that drive openings removed and the terrace restored as determined by the Traffic Engineering Division. No parking shall be permitted on the demolished sites at any time.

Planning staff will note a July 6, 2010 letter from Elizabeth L. Miller to the City's Preservation Planner, Amy Scanlon (attached) that identifies various properties along the University Avenue corridor between Allen Boulevard and N. Segoe Road that may be eligible for listing on the National Register of Historic Places. Ms. Miller's research, which was conducted on behalf of the Wisconsin Department of Transportation (WisDOT) in advance of the scheduled reconstruction of that section of University Avenue in 2012, identified the Merrill Springs Inn at 5101 University Avenue and the Marshall Erdman & Associates office building at 5117 University as being potentially eligible for listing on the National Register. Ms. Scanlon presented the buildings to be demolished and Ms. Miller's letter to the Landmarks Commission on August 4, 2010, and no concerns were expressed about the demolitions. The Landmarks Commission recommended that an inventory of locally designated landmark parcels prepared by staff in response to Ms. Miller's letter be provided to Ms. Miller and WisDOT.

Clarification of Development Process

The applicants are requesting approval of a general development plan and preliminary plat to guide the future redevelopment of their 17.5-acre property. Planning staff is aware that there has been some confusion about the procedural and plan requirements for the Planned Unit Development zoning district, which includes two distinct phases, the general development plan and specific implementation plan. The Zoning Ordinance requires that the following be submitted for a general development plan:

- A statement describing the general character of the intended development.
- An accurate map of the project area including its relationship to surrounding properties and existing topography and key features.
- A plan of the proposed project showing sufficient detail to make possible the evaluation of the criteria for approval for planned unit developments.
- When requested, a general outline of intended organizational structure related to property owner's association, deed restrictions and private provision of common services.

Approval of a rezoning to the PUD district and the related general development plan establishes the basic right of use for the rezoned property. Individual general development plans often vary, and the amount of information required to determine if a particular PUD-GDP meets the standards of approval for zoning map amendments and approval criteria for planned unit developments may vary greatly from one project to another based on the location and context of the planned developments and their scale and scope.

The uses as proposed in a particular Planned Unit Development-General Development Plan zoning and the issuance of building permits are not allowed until a specific implementation plan is submitted, approved and recorded for all or a portion of the lands contained in the general development plan. The specific implementation plan is the second, more detail-oriented phase of PUD zoning approval. The Zoning Ordinance requires that the following be submitted for a specific implementation plan unless waived by the Secretary of the Plan Commission:

- An accurate map of the area covered by the plan including the relationship to the total general development plan.
- The pattern of public and private roads, driveways, walkways and parking facilities.
- Detailed lot layout and subdivision plat where required.

- The arrangement of building groups, other than single-family residences, and their architectural character.
- Sanitary sewer and water mains.
- Grading plan and storm drainage system.
- The location and treatment of open space areas and recreational or other special amenities.
- The location and description of any areas to be dedicated to the public.
- Landscape plan and plant list.
- Proof of financing capability.
- Analysis of economic impact upon the community.
- A construction schedule indicating the approximate dates when construction of the project can be expected to begin and be completed.
- Agreements, bylaws, provisions or covenants which govern the organizational structure, use, maintenance and continued protection of the development and any of its common services, common open areas or other facilities.

Final details of all of the buildings proposed throughout the Erdman Center Planned Unit Development, including the final site, grading and utility plans, architecture, parking and use of each building, will be determined as part of the approval of the rezoning of all or a portion of the site from Planned Unit Development-General Development Plan zoning to Planned Unit Development-Specific Implementation Plan zoning prior to the issuance of building permits. Specific implementation plans are approved by the Common Council following recommendations by the Urban Design and Plan commissions. In addition, the applicants will be required to submit a final plat of the property for approval by the Common Council following a review and recommendation by the Plan Commission.

Finally, as noted in the General Information section of this report, the rezoning of the site to the Planned Unit Development zoning district will not impact the Wellhead Protection zoning overlay for Well 14 that includes the 17.5-acre subject site. Wellhead Protection zoning restricts or prohibits certain land uses within a certain proximity of a Water Utility well regardless of the conventional zoning of the property. Per Section 28.107 of the Zoning Ordinance, the Water Utility General Manager or his designated representative shall approve all proposed land uses on any property included in a Wellhead Protection zoning overlay.

Conclusion

The applicant is requesting approval of a general development plan and preliminary plat to guide the future redevelopment of an approximately 17.5-acre site located in the southwestern quadrant of University Avenue and N. Whitney Way as an urban mixed-use/employment center following demolition of approximately 12 existing commercial buildings on the property. The redevelopment proposal calls for the future construction of between 420,000 gross square feet and 705,000 gross square feet of employment uses with a focus on health-related businesses as well as supporting retail and hospitality uses.

Planning staff believes that the proposed rezoning to PUD-GDP generally conforms to the employment, neighborhood mixed-use and transit-oriented development land use recommendations pertinent to the site in the Comprehensive Plan and Spring Harbor Neighborhood Plan. Staff also believes that the plan largely adheres to the recommendations in those plans related to urban design, with the exception of the placement of buildings along University Avenue and N. Whitney Way, which the concept plan

submitted with the general development plan shows set back from those streets to accommodate parking or access areas. Staff believes careful attention will need to be paid to the design of any such parking lots and drive aisles at the specific implementation plan stage to ensure that a strong pedestrian corridor results along those streets should those future buildings be built as shown on the concept plan.

Staff believes that careful attention will also need to be paid with the review of each subsequent specific implementation plan to ensure that the vision of the dense urban employment center espoused in the general development plan is being realized. As noted in preceding sections, concerns have been expressed during the review of the general development plan by staff, the Spring Harbor Neighborhood Association and the Urban Design Commission about the implementation of the vision of the general development plan going forward, especially with regard to the phasing of the implementation and the actual density of the development. While the developers have responded by providing a more detailed phasing plan for the site as well as potential triggers for when structured parking will be utilized to allow the intensity of development to increase, it will be incumbent upon the Urban Design Commission, Plan Commission and Common Council to closely consider the vision of the general development plan as they review future specific implementation plans. Approval of each specific implementation plan will be based on the conclusions by the Common Council that the criteria for approval are met and that each specific implementation plan is achieving the vision of the dense urban employment center proposed.

Finally, City staff has significant concerns about dedications to the public referenced in the general development plan and preliminary plat. The Erdman Center project proposes the dedication of an outlot to the City for public open space along the western and southern edges of the development, which the Parks Division recommends not be accepted as public parklands and recommends instead that the 2.5-acre outlot be constructed and operated as private open space. In making its recommendation, Parks staff indicated that the proposed outlot it is not of an acceptable size or have adequate access or utility for a public park. Planning staff support the inclusion of open space in the project but believe that the proposed open space, especially along the western edge of the subject site, will primarily serve this development and should therefore be maintained by the development. However, City staff may consider accepting the southern portion of Outlot 1 adjacent to the railroad right of way as a dedication to the public for transportation purposes. A decision on this matter will be made by City staff prior to the applicants' submittal of the final plat of the property.

City Engineering and Traffic Engineering staff has also expressed concerns about the design and future operation of proposed Erdman Center Drive, which will include a number of special design elements, including angled street parking, on-street parking and a variety of streetscape features intended to enhance the character of the project. The concerns about the public street include the proposed street geometrics, future snow removal and storage, and the maintenance of special street furniture and lighting. The City Engineering and Traffic Engineering divisions have suggested instead that it may be better to design and operate the street as a private street, which could be built to City street standards with regard to construction, but provide the developers with more flexibility regarding geometry, programming and furnishing of the street space. Planning staff supports the goal of making Erdman Center Drive a public street but stress that in order to do so, a number of maintenance agreements between the developers and the City will be required, including agreements regarding snow removal, street operation, and maintenance and upkeep of special terrace treatments. At a minimum, the final design of the street will require further study and may require revisions to better conform to City design standards regarding geometry.

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 take the following actions regarding the Erdman Center redevelopment, all subject to input at the public hearing and the conditions that follow from the Planning Division and other reviewing agencies:

- The Plan Commission should forward Zoning Map Amendment 3498, rezoning 5105-5117 University Avenue and 610-702 N. Whitney Way from C3 to PUD-GDP, to the Common Council with a recommendation of **approval**;
- The Planning Division should forward the preliminary plat of Erdman Center to the Common Council with a recommendation of **approval**, and;
- The Plan Commission should find the demolition standards met and **approve** the demolition of the existing principal structures on the Erdman site subject to the Common Council's approval of the PUD-GDP zoning map amendment and preliminary plat for Erdman Center.

1. That the general development plan be revised per Planning Division approval prior to recording as follows:
 - 1a. revise Section 2.6, Open Space, to clarify that the westerly portion of Outlot 1 open space will be privately maintained, and provide information regarding when that private open space will be constructed. Final details of the private open space shall be included with the first specific implementation plan for the phase in which the open space is identified. The southerly 20-foot wide portion adjacent to the railroad right of way may be considered appropriate for dedication to the City for transportation purposes at the time of final plat;
 - 1b. remove Section 2.8, Public Development Assistance;
 - 1c. revise Exhibit 6, Development Standards, to specify a minimum height in feet of the proposed building on Lot 11. Staff recommends that this building be a minimum of 20 feet tall regardless of story height;
 - 1d. the zoning text shall be revised to state that no residential units shall be permitted on the ground floor of any new building unless an exception is granted as part of the approval of the specific implementation plan;
 - 1e. the zoning text shall be revised to state that no single retail establishment shall exceed 20,000 square feet of gross floor area except for a grocery store, the size of which will be determined as part of the approval of a future specific implementation plan, and;
 - 1f. specify that the development of buildings on Lots 1, 4, 10 and 11 shall be allowed with the use of shared surface parking; development of Lots 5 and 7-9 shall not be allowed unless structured parking is provided.
2. The final list of the permitted uses contained in the zoning text shall be approved by the general manager of the Water Utility, the Zoning Administrator and the Director of the Planning Division prior to recording of the general development plan.
3. The specific building heights shall be in the range specified in Exhibit 6, Development Standards, and approved as part of each specific implementation plan.
4. The general development plan as presented provides a conceptual layout and phasing plan for the subject site. The final square footage, uses, placement, setbacks and architectural design of each

building shall be approved as part of specific implementation plans prior to the issuance of building permits. Future specific implementation plans for individual buildings shall be reviewed by the Urban Design Commission, Plan Commission and Common Council against the criteria for approval of Planned Unit Developments and due consideration of the approved general development plan.

5. That a Transportation Demand Management Plan for the entire Erdman Center Planned Unit Development be submitted for approval with the first specific implementation plan.
6. That the private design code for the development be submitted for approval by the Urban Design Commission and Plan Commission with the first specific implementation plan.
7. That as a condition of approval of the demolition permit, all asphalt and gravel surfaces adjacent to any demolished building shall be removed, the affected areas graded and seeded with grass, and all drive openings removed and the terrace restored as required by the City Traffic Engineer. No parking is permitted on the demolished sites at any time. The developers shall submit a post-demolition site reclamation plan for approval by Planning, Zoning and City Engineering staff prior to issuance of demolition permits that provides details on the above.

The following conditions have been submitted by reviewing agencies:

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

8. A final decision will be made by the City Engineer prior to recording of the general development plan and submittal of a final plat to determine if Outlot 2 and/ or Outlot 3 will be public or private. If these outlots are allowed to be dedicated to the public, they will be subject to any necessary maintenance and encroachment agreements as determined by the City for the special treatments that the developer is proposing.
9. The internal street shall be clarified whether it will be public or private. Regardless, two street names will be required. Please coordinate street names with Lori Zenchenko from the Engineering Mapping Section; LZenchenko@cityofmadison.com or 266-5952.
10. The applicant shall dedicate right of way for the improvement of University Avenue and N. Whitney Way as determined by the City Engineer with the final plat(s) of Erdman Center.
11. The street layout shall require more detailed design prior to the submittal of the final plat. Upon completion of a more detailed design, the applicant shall revise the right of way as required by the City Engineer.
12. Staff from the City Engineering, Traffic Engineering, and Streets divisions have expressed concerns over the City's ability to maintain the internal street as proposed. The applicant shall meet with City departments to discuss these maintenance concerns and potential alternatives, including maintenance agreements or platting the internal street as a private street. This discussion shall need to occur prior to drafting the final plat.
13. Stormwater management on Outlot 2 shall require approval of the City Engineer.

14. This project requires relocation of the existing 42"/48" public storm sewer. The City would support a project to divert this flow north on N. Whitney Way to University Avenue if a mutually agreeable cost sharing arrangement and construction schedule can be agreed upon.
15. Access to University Avenue, CTH MS, must be approved by the Dane County Highway Department.
16. Any damage to the N. Whitney Way pavement will require restoration in accordance with the City's Patching Criteria.
17. Proposed utility improvements will be subject to a developer's agreement.
18. 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.
19. The developer shall enter into a City/ Developer agreement for the installation of public improvements required to serve this plat. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat without the agreement executed by the developer. (Per MGO 16.23(9)c)
20. Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
21. Property lines at intersections shall be rounded with a 15-foot radius on the southwest corner of Lot P-9. (Per (MGO 16.23(8)(a)(7)d)
22. The developer shall construct Madison standard street improvements for all streets within the plat. (Per MGO 16.23(9)(d)6)
23. The developer shall construct concrete sidewalk along University Avenue to a plan approved by the City Engineer.
24. All work in the public right of way shall be performed by a City-licensed contractor. (Per MGO 16.23(9)(c)5) and MGO 23.01)
25. 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.

26. 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.
27. On the final plat, the following notes shall be included:
- a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.
 - b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.
- Note: In the event of a City Of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.
28. Prior to recording the final plat, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: control 40% TSS (20 micron particle); provide oil & grease control from the first 1/2" of runoff from parking areas, and; 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..
29. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Department of Natural Resources. As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.
30. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites, with over one acre of disturbance for stormwater management and erosion control has been transferred

to the Wisconsin Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR-216 and NR-151, but a separate permit submittal is now required from the WDNR for this work as well.

As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the DNR, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Please contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement.

31. 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.
32. A minimum of 2 working days prior to requesting City Engineering Division signoff on the plat, the applicant shall contact Janet Dailey (261-9688) 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. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
33. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
34. 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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.
35. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division website for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the Engineering Division for this information.
36. 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.

37. 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).
 38. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; sediment loading calculations. 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.
 39. The applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).
- *This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.
- *New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.
40. 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.
 41. 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).
 42. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; sediment loading calculations. 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.

43. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
44. 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))
45. 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.
46. 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 John Leach, 267-8755)

47. City staff has reviewed the proposed street plan and recommends the proposed development street be a private street servicing only the development. The proposed street could be built to City Street Standards and Design, but as a private street to better serve the development due to constraints a public street cannot provide.
48. The applicant shall provide a signing and marking plan with parking restrictions proposed for the proposed internal street to be reviewed and approved by the Traffic Engineer and City Engineer.
49. To provide for orderly development of the surrounding, adjacent properties and to provide for adequate measures to serve development traffic, the applicant should explore a street connection between proposed Lots 1 & 2 as a plan to service a future street to University Avenue and the commercial property to be developed to the west along University Avenue. This was an option the applicant has proposed in the past.
50. The applicant will need to increase the stacking and throat length of the main driveway approaches on N. Whitney Way and University Avenue. The stacking throat should be 75 to 100 feet long as measured from behind the property line to accommodate vehicles ingressing and egressing the site before any connections into the proposed front lots.
51. It is recommended that the applicant modify the angle parking on the circle to be moved to the front of the buildings. The applicant may lose some parking to accommodate the proposed drop off. There is a concern that the angle parking in the center leads to pedestrian safety concerns resulting from pedestrians having to cross the main traffic lanes in the development.
52. To provide for adequate pedestrian and bicycle connections, the applicant shall modify University Avenue and N. Whitney Way to accommodate a 10-foot wide bike/pedestrian sidewalk on those frontages. Bike lanes alone in these streets are not adequate to serve all users.

53. The applicant will need to modify N. Whitney Way to accommodate a right-turn lane ingress to the site, and revise the right of way accordingly.
 54. The applicant will need to modify the N. Whitney Way medians to accommodate a 20-24 foot area for left-turn ingress and egress vehicles. A final plan for this for left-turn will be determined by the City Traffic Engineer.
 55. The applicant shall provide an additional driveway on University Avenue closer to N. Whitney Way to provide adequate access and traffic operations for the development.
 56. The developer shall enter into a subdivision contract and make improvements to the public streets considered temporary until such time as the ultimate improvements are undertaken.
 57. Pedestrian And Bicycle Review Comment: The site plan shall provide multiple access connections from the perimeter bike/pedestrian sidewalk [into the development] and bike racks at fronts of buildings with applicable signage, to be shown on the plans and to be reviewed and approved by the Traffic Engineer.
58. The applicant shall submit one contiguous plan of the final plans for approval.
 59. The street type approaches on N. Whitney Way and University Avenue shall be reviewed and approved by the City Traffic Engineer. In addition, the applicant shall be responsible financially to maintain pavement marking as approved by the City Traffic Engineer. The applicant shall at all times maintain crosswalks, stop bars and lane lines, and signage included in the geometrically special design "Street Type Entrance." The applicant shall show, lane dimensions, lane line color and width according to the Federal Highway Administration "Manual On Uniform Traffic Devices" in epoxy for lane lines, 12-inch crosswalk lines, 24-inch stop bars, pavement markings details and signage to as approved by the City Traffic Engineer. In addition, the following note shall be shown on the plan: "ALL PAVEMENT MARKINGS SHALL BE INSTALLED IN EPOXY AND MAINTAINED BY THE PROPERTY OWNER."
 60. All existing driveway approaches which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
 61. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible. If the internal street is to be public, the developer shall provide an upfront capital fee for the annual upkeep and maintenance, to be determined by the Traffic Engineer.

Zoning Administrator (Contact Pat Anderson, 266-5978)

62. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
63. Future development shall meet all applicable building and zoning ordinances following applicable processes.
64. The zoning text for GDP must include provisions for continuing existing uses. The applicant shall work with Zoning and Planning staff to clarify the zoning text in this regard.
65. Signage approvals are not granted by the Plan Commission. Signage must be approved by the Urban Design Commission or staff for compliance with MGO Section 31, Sign Code, and MGO Section 33, the Urban Design ordinance. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.

Parks Division (Contact Kay Rutledge, 266-4714)

66. The Parks Division will not accept proposed Outlot 1 as a public outlot for public open space purposes and believes that this space should be constructed and operated as a private open space outlot. Parks staff does not believe that the proposed outlot will serve a public park purpose and does not believe that it is of an acceptable size or have adequate access or utility for a public park (per MGO Sec. 16.23(8)(f)5).

67. Final park dedication and development fees for any future residential units will be determined when specific implementation plans are submitted for the project. Park impact fees for any future residential units will be due prior to signoff of those SIPs and/or the issuance of building permits and will be based on the fees due and payable in the year the SIP is approved and/ or building permits are issued.

Fire Department (Contact Scott Strassburg, 261-9843)

68. Provide fire apparatus access [with future PUD-SIP submittals] as required by IFC 503 2009 edition, MGO Sections 34.03(17), 34.19 and IFC Appendix D105.
69. There are not enough technical details available at this time for a thorough code review; however, previous fire access discussions have not been incorporated into the PUD-GDP submittal dated August 20, 2010.

City Assessor's Office (Contact Maureen Richards, 266-4845)

This agency did not submit comments for this request.

Water Utility (Contact Dennis Cawley, 261-9243)

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

71. All public water mains and water service laterals shall be installed by a standard City subdivision contract.

72. The Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Metro Transit (Contact Tim Sobota, 261-4289)

73. The applicant cites on Page 20 of their general development plan dated August 20, 2010, under "Transit", that the site is currently served by several bus routes along University Avenue and Whitney Way. These routes currently have stop locations on the south side of University Avenue adjacent proposed lot P-10, and on the west side of Whitney Way adjacent proposed lot P-6. The proposed redevelopment of the adjacent properties and the planned reconstruction/expansion of the N. Whitney/University intersection may require the displacement or elimination of one or both of these bus stop locations.

74. The information submitted by the applicant does not contain sufficient detail for Metro Transit staff to make any recommendation regarding bus stop placement adjacent the site, or necessary improvements or amenities that should be included. The ultimate design of any pedestrian facilities crossing University Avenue and N. Whitney Way will guide such decisions.

75. The applicant should otherwise anticipate a requirement to accommodate a bus stop pullout at some location along the south side of University Avenue adjacent to the site, with bus stop amenities including a passenger waiting shelter with bench and a trash receptacle – both of these to be installed and maintained by the applicant.

76. Such passenger amenity requests are typically fulfilled with the applicant installing the items on private property behind the sidewalk. Placement of privately installed and maintained property on public right of way will require the review and approval of additional City agencies, including the Office of Real Estate Services and City Engineering Division, prior to Metro Transit giving final approval to the plans.

77. The applicant should further anticipate installation of a concrete boarding surface on the west side of N. Whitney Way at some location adjacent to the site for use as an accessible bus stop location.

78. The developer will need to include the design and locations of the proposed transit elements on the final documents filed with their permit application so that Metro Transit may approve the plans. Metro Transit requests to sign and review final documents submitted for this project.