



Department of Planning & Community & Economic Development  
**Planning Division**

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October 5, 2011

Doug Hursh  
Potter Lawson, Inc.  
15 Ellis Potter Court  
Madison, Wisconsin 53711

Dan Day  
D'Onofrio Kottke & Associates  
7530 Westward Way  
Madison, Wisconsin 53717

RE: Approval of 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; approval of a demolition permit to allow 11 existing commercial buildings to be demolished as part of the proposed redevelopment, and; approval of the preliminary plat and final plat of University Crossing, creating 7 lots for the future development and 1 outlots for public stormwater management. (Paul Lenhart, The Lenhart Company)

Gentlemen;

At its October 4, 2011 meeting, the Common Council **conditionally approved** your client's applications to rezone and subdivide 5063-5119 University Avenue and 702 N. Whitney Way for the proposed University Crossing development. On September 19, 2011, the Plan Commission **approved** the demolition of the existing buildings on the site and recommended approval of the rezoning and plat to the Common Council.

Some of the conditions of approval that follow below shall be satisfied prior to permits for demolition being issued. The remaining conditions listed below shall be met to the City's satisfaction prior to the recording of the planned unit development zoning and final plat, and prior to the issuance of permits for new construction.

**Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following forty-seven (47) items:**

1. The applicant shall meet with the City Engineering and Traffic Engineering divisions to determine the street configuration and right of way dedications required for this development. The right of way shall provide for approximately 8 feet of tree terrace, which is typical for new developments. The applicant shall dedicate additional right of way if required by City Engineering.
2. The applicant shall install an 8-foot wide sidewalk along University Avenue and N. Whitney Way in accordance with plans approved by the City Engineer and the City Traffic Engineer. The applicant shall dedicate additional right of way or a permanent limited easement to facilitate the new sidewalks.
3. The City is currently pursuing a temporary limited easement (TLE) along University Avenue in conjunction with the University Avenue reconstruction project. This easement shall be secured by Transportation Project Plat (Parcel 39) separate from creation and conveyance by the proposed University Crossing Plat. This TLE has been set up as Real Estate Project No. 9642 for administration and recording by the City's Office of Real Estate Services staff (Jerry Lund).

4. It may be possible for the median improvements, conduit and signal installation, and utility adjustments on University Avenue that are the obligation of the developer to be included as part of that larger street reconstruction project. Those items would be a direct cost to the developer if the improvements are approved as a change order and included in the University Avenue reconstruction. If any items are added to the WisDOT contract to accommodate the development, the developer shall reimburse the City for 100% of any additional cost incurred. Said reimbursement shall be taken as a deposit prior to the authorization of WisDOT to add the work to the University Avenue Contract.
5. The applicant shall dedicate additional right of way on Street B outside of the University Crossing plat (approximately the south 33 feet). This dedication shall occur upon completion and satisfaction of all University Crossing final plat conditions of approval and the signoff all City agencies on the same. The Office of Real Estate Services Project No. 9738 has been established for the administration and recording of this dedication by Real Estate staff (Jerry Lund). D'Onofrio Kottke & Associates shall submit a scale map exhibit, legal description and \$30 check payable to City of Madison Treasurer that covers Register of Deeds recording fees (Planning and Real Estate reduced the standard \$500 administrative fee to \$30 to cover recording costs only). Submit the above to Eric Pederson in the Engineering Mapping Section for review. When approved, Engineering Mapping will pass along to appropriate Real Estate staff for insertion into dedication document for recording with the Register of Deeds.
6. The applicant shall grade the proposed 20-foot wide pedestrian-bicycle easement along the southern property line of Lots 2 and 3 to a grade set by the City Engineer to allow for a future bike path construction.
7. No buildings or parking lots shall encroach within the pedestrian-bicycle easements created by the final plat. Obtain the standard pedestrian-bicycle easement language from Eric Pederson in Engineering Mapping for inclusion on the final plat prior to recording.
8. The applicant shall coordinate the bike path and sidewalk construction along the westerly lines of Lots 1 and 2 of the proposed University Crossing plat with the City Engineer and the City Traffic Engineer. The path shall be a 10-foot wide asphalt surface and would be classified as a Type IV path, which shall be publicly owned and accepted within a public easement. The abutting property owners shall be responsible to clear snow and ice per MGO 10.28. The City shall provide routine inspection and repairs to the path. The cost of the repairs shall be shared 50/50 with the abutting property owners. The City may allow for the southerly portion of the path to be graded and have the 6-inches of crushed stone installed until such time as the Good Neighbor bike path is constructed as a connection point. The City would complete the construction of the southerly leg of the bike path in conjunction with the larger Good Neighbor bike path project.
9. The applicant shall provide a connection from the westerly pedestrian bicycle path to the adjacent Trillium development at a location approved by the City Engineer and City Traffic Engineer. The connection would be considered a Type IV path. This connection shall be located within the existing public storm sewer and bicycle path easement. Additionally, the applicant shall provide a Type V sidewalk along one of the private roads that would connect the proposed path to A Street at a location approved by the City Engineer and City Traffic Engineer. The sidewalk would be considered private but shall not inhibit public usage. The repairs and maintenance of the sidewalk would be the abutting property owner's responsibility.
10. The applicant shall provide a tree planting plan as part of the approval of this project. The tree planting plan shall be coordinated with Dean Kahl of the Forestry Section and with Bill Sullivan of the Madison Fire Department in order to accommodate the fire aerial access requirements for the development.
11. The proposed roundabout shall be able to accommodate bus turning movements and large truck movements. The City does not wish to provide additional maintenance for this roundabout and may require the applicant enter into a maintenance agreement for the roundabout and islands.
12. Proposed sewer work on University Avenue shall be coordinated with the University Avenue reconstruction project if the sanitary sewer and storm sewer work for this development is not completed in advance of the 2012 project. Coordinate sewer requirements with Corey Stelljes of the City Engineering Division.

13. Final plans shall show all proposed inverts of existing and proposed storm sewer and shall be coordinated with the final plans for University Avenue reconstruction, which are being prepared by KL Engineering.
14. The applicant shall construct an access road for Outlot 1 within the proposed public storm sewer and bike path easement. The applicant shall be required to provide an access easement for City to drive over the private street or parking lot to access Outlot 1 for maintenance.
15. The developer shall provide all Phase I and Phase 2 ESA reports for the properties within this development to the City. Additionally, the developer shall copy the Spring Harbor, Glen Oak Hills and University Hill Farms neighborhood associations on any DNR correspondence regarding any spill notifications during the demolition and related construction of this development.
16. 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.
17. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
18. The applicant shall make improvements to University Avenue and N. Whitney Way in order to facilitate ingress and egress to the development.
19. 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.
20. 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.
21. 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.
22. The applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this planned unit development does not constitute or guarantee approval of the encroachments.
23. 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.
24. All work in the public right of way shall be performed by a City-licensed contractor.

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](mailto:dkahl@cityofmadison.com) or 266-4816.
26. All damage to the pavement on University Avenue and N. Whitney Way adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
27. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
28. 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.
29. 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.

30. 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: control 40% TSS (20 micron particle) off of new paved surfaces; 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.
31. 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](mailto: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.
32. 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).
33. 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.

34. 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))
35. 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.
36. 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.
37. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.
38. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA will be required of the applicant. The applicant shall provide 1 digital and 2 hard copies of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required. Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)) for further review.
39. 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)
40. 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.
41. The developer shall construct Madison standard street improvements for all streets within the plat. (Per MGO 16.23(9)(d)6)
42. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. 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.
43. If the lots within this subdivision are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site, an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the final plat and recorded at the Dane County Register of Deeds.
44. 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.

45. 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).
46. 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.
47. The applicant shall submit to Eric Pederson, prior to City Engineering sign-off of the subject plat, 2 digital and 1 hard copy of the final plat to the Mapping Section of the City 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.

**Please contact Bryan Walker, Traffic Engineering Division, at 267-8754 if you have questions about the following twenty-eight (28) items:**

48. The applicant's traffic study has provided a workable solution of a half-traffic signal to address its traffic impacts, however, this plan still needs to be incorporated into the reconstruction plans for University Avenue. The subject solution is described in the developer's Addendum dated September 13, 2011. The development would start out with stop control, un-signalized conditions but need to build out and provide whatever provisions for the half signal on University Avenue for potential ultimate capacity.

Please note a half signal is the maximum the City is interested in due to the significant traffic impacts of a full signal on University Avenue, N. Whitney Way and other surrounding streets like Old Middleton Road and the railroad corridor.

The Developer and City would first need to amend and incorporate the half signal changes with the already approved federally funded reconstruction plans for University Ave; and second the Developer and City would monitor the conditions and consider traffic signals as part of the City's annual signal priority list with review by the City's Pedestrian Bicycle Motor Vehicle Commission (PBMVC). There is the potential for installing traffic signals at the outset depending on the development's phasing and future City review and approvals. The Developer would be responsible for all incremental costs to modify the current reconstruction and signal plans.

49. Prior to GDP/plat approval, the applicant shall be responsible for securing all proper permits and approvals for driveway approaches and proposed median breaks onto University Avenue (CTH MS) from Dane County

Highway and Transportation Department. The applicant shall provide copies of all approved permits to the Traffic Engineering Division prior to approval of plans.

50. The applicant shall also be responsible for securing Dane County's approval for reconstructing the proposed median break on University Avenue for a special design and signalized intersection in order to secure enough traffic capacity to adequately serve the development. The applicant shall provide copies of all approved permits to the Traffic Engineering Division prior to approval of the GDP.
51. The applicant shall be responsible for reconstructing the all-way access point on N. Whitney Way to City Traffic Engineer specifications, to include the potential for potential future traffic signals, and interconnections with nearby traffic signals and railroad signals. The applicant may be required to reconstruct all four sides of this intersection to provide an acceptable design.
52. The applicant will need enter into a developer's agreement contract with the City to pay for and provide the necessary improvements and roadway modifications that are required to support the proposed development, prior to final approval.
53. To provide for orderly development of this property and surrounding, adjacent properties, and to provide for adequate measures to serve development traffic, the applicant shall provide a reciprocal cross- access easement to the properties to the west, at the current location of the proposed access lane behind the fronting building (UW Clinic) on University Avenue. This is to service the subject development traffic demands and service connections to University Avenue and the commercial properties to the west on University Avenue and Flambeau Road.
54. The applicant will need to modify N. Whitney Way to accommodate an exclusive right-turn lane ingress to the site, and revise the right of way accordingly.
55. The final design and alignment of the internal streets shall be revised and reviewed to meet recommended design practices. In addition the applicant may need to enter into a maintenance agreement and provide an upfront capital deposit for the annual upkeep and maintenance for the special signage, markings, and for management, enforcement services, to be determined by the City Traffic Engineer.
56. The internal street design shall be revised to include a series of traffic calming speed humps and mid-block ped-bike crossing treatments, as determined by the City Traffic Engineer.
57. The applicant shall provide a signing and marking plan with parking restrictions proposed for the internal street to be reviewed and approved by the City Traffic Engineer and City Engineer.
58. All driveway approaches will need to be approved in the SIP review. Driveway approaches will need to be modified and/or relocated to reduce conflicts points and be in accordance with MGO. Driveway approaches to Lots 1, 2, 9 and 10 for example, will need to be modified to reduce conflicts. If certain driveways are too close to intersections, vehicles will drive the wrong way ingressing or egressing the parking access to parking lots or streets.
59. 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.
60. If the number of parking stalls proposed is over 1,000, the applicant is advised of the Wisconsin Administrative Code NR 406 requirements as they pertain to parking lot size and air quality. The applicant should contact John Meier, Air Quality Analyst for the Wisconsin Department of Natural Resource at 267-0869. A letter from the DNR should be provided to the Traffic Engineering Division demonstrating that the Indirect Source Permit was issued or exempted.
61. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineer Division to accommodate the microwave sight and building. The applicant shall submit grading plans and elevations if the building exceeds four stories prior to

sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

62. The plat and GDP/SIP shall provide and note the previously approved 20-foot wide ped-bike easement on the southern property line.
63. The site plan shall provide multiple access connections from the perimeter ped-bike paths and bike racks at fronts of buildings with applicable signage, to be shown on the plans and to be reviewed and approved by the City Traffic Engineer.
64. To provide for adequate pedestrian and bicycle connections, the applicant shall modify University Avenue and N. Whitney Way to accommodate an 8-foot wide bike/ped sidewalk on the frontages. Bike lanes alone in these streets are not adequate to serve all users.
65. The applicant will need to install several raised crosswalks at points determined by the City Traffic Engineer.
66. The development will need to provide a ped-bike master plan showing all features and easements, including bike path and sidewalk dimensions and cross sections.
67. The applicant shall submit one contiguous plan of the overall development for approval with each final plan.
68. No parking stall shall be located so as to require a vehicle, while exiting therefrom, to back onto any public street right of way.
69. 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, signage and 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, a note shall be shown on the plan, "ALL PAVEMENT MARKINGS SHALL BE INSTALLED IN EPOXY AND MAINTIAN BY THE PROPERTY OWNER."
70. All existing driveway approaches on which are to be abandoned with demolition shall be removed and replaced with curb and gutter and noted on the plan.
71. The applicant shall execute a waiver for traffic signals and streetlights, and post a deposit for same.
72. The applicant shall execute an operation and maintenance agreement with the City for 100% of the costs to design, install, operate, maintain, and service the any new traffic signals.
73. The applicant shall be required to provide any necessary easements for the installation of traffic signals, including control boxes, loops, hand-holes, markings and signing.
74. The applicant shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
75. 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 City Traffic Engineer.



**Please contact Bill Sullivan, Madison Fire Department, at 261-9658 if you have any questions regarding the following two (2) items:**

76. Provide fire apparatus access as required by IFC 503 2009 edition, MGO Sections 34.503.
77. Note: Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact the MFD Training Division at 246-4587 to discuss this possibility.

**Please contact Dennis Cawley, Madison Water Utility, at 261-9243 if you have any questions regarding the following eight (8) items:**

78. 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.
79. The applicant shall determine if any hazardous chemicals, as defined by the Environmental Protection Agency, are stored or used on this site. If such chemicals are identified the applicant shall provide a report on the magnitude and/or frequency of these chemicals, as well as a plan for the storage or containment of these chemicals.
80. The only stormwater that may infiltrate on site is rooftop drainage.
81. The applicant shall report any potential contamination discovered during demolition, grading, and earthwork to the Wisconsin Department of Natural Resources and the Madison Water Utility, as well as report on the measures taken for disposal/cleanup of such contamination. The Madison Water Utility suggests that the applicant keep a daily log to document and report encounters with potential sources of contamination.
82. 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.
83. The applicant shall cooperate with the Madison Water Utility on the installation of temporary groundwater monitoring wells on this property.
84. All public water mains and water service laterals shall be installed by a standard City subdivision contract.
85. The Water Utility shall be notified to remove the water meter prior to demolition.

**Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following four (4) items:**

86. 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.
87. Future development shall meet all applicable building and zoning ordinances following applicable processes.
88. 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.
89. 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.

**Please contact Kay Rutledge, Parks Division, at 266-4714 if you have any questions regarding the following item:**

90. Final park dedication and development fees for any future residential units will be determined when specific implementation plans are submitted that include residential units. 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.

**Please contact Tim Sobota, Madison Metro Transit, at 261-4289 if you have any questions regarding the following five (5) items:**

91. 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.

92. 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.

93. 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.

94. 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.

95. 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.

**Please contact Jerry Lund, Office of Real Estate Services, at 267-8718 if you have any questions regarding the following two (2) items:**

96. The Owner's Certificate on the proposed plat shall be executed by all parties having an ownership interest in the property. For parties other than sole proprietorships, the signatories shall provide to the City, prior to approval, documentation, which proves that, said signatories have legal authority to sign the Owner's Certificate. The title report shows the following parties have an ownership interest of record in the property and said parties shall be signatories on the Owner's Certificate:

→ Erdman Future LLC, University Avenue Properties LLC, Erdman Real Estate Holdings LLC

97. All real estate taxes, stormwater management charges, and special assessments due against the properties involved in this final plat shall be paid in full (with copies of receipts for recent payments not reflected in City records) prior to final signoff of the plat for recording. As of September 8, 2011, special assessments are due for 5 of the parcels involved in this final plat.

**Please contact my office at 261-9632 if you have questions about the following eight (8) items, including the condition added by the Plan Commission on September 19, 2011 (#105):**

98. That the Planned Unit Development be revised per Planning Division approval prior to recording as follows:  
a.) revise the Comprehensive Plan reference on page 2 to indicate "Community Mixed-Use" and not "Neighborhood Mixed-Use" as submitted;  
b.) remove the "Traffic Study" and "Public Assistance" sections on page 5;

- c.) section 2.1 shall be titled "Zoning Text";
- d.) the family definition on page 10 should also reference the SR-V1 zoning district from the new Zoning Code (scheduled to be effective in 2012) as successor to the existing R4 district;
- e.) the "Yard Requirements" section on page 10 should also make reference to the Lot and Yard Diagram on page 16;
- f.) exhibit 4.3 should include references in the left margin to the height and number of stalls in each of the 3 proposed parking structures.

99. 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.

100. 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.

101. That the developer submit an updated Transportation Demand Management Plan for review with each specific implementation plan submittal for future phases of the University Crossing.

102. 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.

103. That the developer receive final approval from the Urban Design Commission of the overall general development plan and first phase specific implementation plan prior to recording of the Planned Unit Development.

104. Prior to the final approval of the planned unit development and final plat for recording, the developer shall submit reciprocal cross-access and shared parking easements and agreements to govern the development for the review and approval of the City Engineer, City Traffic Engineer and Planning Division Director.

105. That the design changes enumerated in the developer's September 16, 2011 memo be incorporated into the General Development Plan for the overall development.

**The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of permits for new construction. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.**

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.

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.

After the planned unit development has been revised per the above conditions, please file **ten (10) sets** of complete, fully dimensioned, and to-scale plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final

revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.

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

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

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12 (10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, do not hesitate to contact me at 261-9632.

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

Sincerely,

Timothy M. Parks  
 Planner

- cc: Janet Dailey, City Engineering Division  
 Bryan Walker, Traffic Engineering Division  
 Dennis Cawley, Madison Water Utility  
 Bill Sullivan, Madison Fire Department  
 Tim Sobota, Madison Metro Transit  
 Kay Rutledge, Parks Division  
 Pat Anderson, Assistant Zoning Administrator  
 Jerry Lund, Office of Real Estate Services  
 Dan Everson, Dane County Land Records and Regulations

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Rec. Coord. (R&R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Metro Transit