



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, AICP, Director

---

126 S. Hamilton Street  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
Phone: (608) 266-4635  
[www.cityofmadison.com](http://www.cityofmadison.com)

December 6, 2017

Doug Hursh  
Potter Lawson, Inc.  
749 University Row, Suite 300  
Madison, Wisconsin 53705

RE: Approval of a major amendment to the General Development Plan for the University Crossing Planned Development and approval of a Specific Implementation Plan to allow construction of a four-story mixed-use building containing 10,500 square feet of office space and 48 apartments at 5102 Silvertree Run. [LNDUSE-2017-00100; ID 49221]

Dear Mr. Hursh;

At its December 5, 2017 meeting, the Common Council **conditionally approved** your request to amend the PD(GDP-SIP) for University Crossing to allow construction of a mixed-use building at 5102 Silvertree Run subject to the following conditions, which shall be satisfied prior to final approval and recording of the planned development and the issuance of building permits for your project:

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have any questions regarding the following twelve (12) items:**

1. 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.
2. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the City Engineering Division. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). All other levels (contours, elevations, etc.) are not to be included with this file submittal. E-mail CAD file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

3. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) Building Footprints; b) Internal Walkway Areas; c) Internal Site Parking Areas; d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
4. This project appears to require construction dewatering. A dewatering plan shall be submitted to the City Engineering Division as part of the Erosion Control Permit application and plan. If contaminated soil or groundwater conditions exist on or adjacent to this project additional Wisconsin Department of Natural Resources (WDNR), Public Health Madison-Dane County, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
5. This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The contractor shall coordinate this testing with the erosion control measures and notify City Engineering (608) 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
6. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 24-hour, 100-year design storm. If the enclosed depression(s) is/are to be served by a gravity system, provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system, provide pump sizing calculations stamped by a Wisconsin P.E. or licensed plumber that show this requirement has been met.
7. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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 5.0-tons per acre per year.
8. For commercial sites less than one (1) acre in disturbance, the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acre, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
9. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office.
10. The lots within this site plan 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 site plan, and recorded at the Dane County Register of Deeds.

11. 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 Madison General Ordinances.
12. The applicant shall replace all sidewalk and curb and gutter that abuts the property that is damaged by the construction, or any sidewalk and curb and gutter, which 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.

**Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have any questions regarding the following five (5) items:**

13. Landscaping is proposed within the public right of way of Whitney Way. The landscaping shall be removed from the public right of way allowing for any future utilization of the area for public use and improvements. This area is currently being considered for a Metro Bus pull-out.
14. The site plans shall show the easement area for the placement of well heads for an HVAC system in the northwesterly portion of this site.
15. The site plan shall note that this site is subject to a Storm Water Management Easement per Document No. 4836350 and corrected by Document No. 4855074.
16. The site plan shall note that this site is subject to a Declaration of Easements, Covenants and Restrictions per Document No. 4917042 setting forth uses, privileges and responsibilities for common amenities between this parcel and the adjacent parcels of this planned development.
17. Submit a PDF of all floor plans to [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal. Note: Suite number(s) for the office floor will be determined when tenant build out plans are submitted.

**Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following seven (7) items:**

18. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

19. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
20. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
21. All parking facility design shall conform to the standards in MGO Section 10.08(6).
22. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
23. The applicant shall adhere to all vision triangle requirements as set in MGO Section 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO Section 27.05(2)(bb), Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
24. The applicant shall provide a clearly defined five-foot wide walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have questions about the following six (6) items:**

25. Work with Zoning and Planning staff to finalize the zoning text.
26. The final plans shall include a summary of the dwelling units with the number and types of units (number of bedrooms) per floor.
27. Provide the minimum required number of bicycle parking spaces distributed as both Short Term and Long Term bicycle parking for the residential and commercial uses, as required per Sections 28.141(4) and 28.141(11). A minimum of 48 resident bicycle parking spaces are required plus 5 guest stalls. A minimum of 90% of the resident stalls shall be designed as long-term parking, and the guest stalls shall be designed as short-term parking. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. A minimum of 5 short-term bicycle stalls shall be required for the commercial uses. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide details of the proposed bike racks, including any structured or wall mount bike racks.

28. Show the dimensions of the moped parking stalls. Moped parking stalls are a minimum of three (3) feet by six (6) feet with a five (5)-foot wide access aisle.
29. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
30. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following two (2) items:**

31. This property is in a Wellhead Protection District–Zone (WP-14). The owner/applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Adam Wiederhoeft at [awiederhoeft@madisonwater.org](mailto:awiederhoeft@madisonwater.org) for additional information, including a summary of the submittal requirements.
32. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days' notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size and obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646.

**Please contact Janet Schmidt of the Parks Division at 261-9658 if you have any questions regarding the following three (3) items:**

33. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(6) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 12106.1 when contacting Parks Division staff about this project.
34. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – [bhofmann@cityofmadison.com](mailto:bhofmann@cityofmadison.com) or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of

Public Works prior to the approval of the site plan. The street tree locations are on the landscape plan, but not species and size/DBH. Please add this information to the landscape plan.

35. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

**Please contact Tim Sobota at Metro Transit at 261-4289 if you have questions about the following item:**

36. The City of Madison has begun plans to construct a bus pullout lane along the west side of N. Whitney Way, north of Silvertree Run, for the current stop (#2398). This project would include realignment of the public sidewalk, as well as changes to the terrace and curb portions, all within the public right of way. The applicant shall include the approximate location of these planned improvements on the final documents filed with their permit application so that Metro Transit may review and approve their compatibility with the adjacent private landscape plans.

**Please contact my office at 261-9632 if you have any questions regarding the following seven (7) items:**

37. The site plan shall include a dimension from the closest point of the proposed building to the property line along N. Whitney Way, and shall include setback dimensions from the back of curb along N. Whitney Way consistent with the setback included in the existing General Development Plan.
38. Label the floorplans to identify the square-footage of all suites and units, and label the dwelling units on floors 2-4 by unit/bedroom type. Label the ramp to the underground garage at southwestern corner of first floor.
39. Include a table with proposed dwelling units by type and total number of bedrooms on the final site plans and letter of intent.
40. Any proposed HVAC or utility penetrations on the building shall not face N. Whitney Way or Silvertree Run. Any such penetrations elsewhere on the exterior of the building shall be designed to be perpendicular to the facades to limit their visibility to the greatest extent possible. All detail regarding HVAC and utility penetrations shall be provided to the Urban Design Commission and Plan Commission for review.
41. The applicant shall work with Planning and Zoning staff on the final form of the zoning text prior to final sign-off and recording of the Amended PD (GDP-SIP).
42. Pursuant to the requirement of the 2011 University Crossing Planned [Unit] Development, a Transportation Demand Management (TDM) Plan shall be submitted for approval by the Director of the Planning Division prior to recording of the specific implementation plan for Building 5. The TDM

shall identify a transportation coordinator for the building to serve as a central resource for transportation information and incentives for tenants of those buildings. An amendment to the TDM approved for Buildings 4 and 6 to include Building 5 may be acceptable to satisfy this condition.

43. That the applicant revise the plans prior to final approval and issuance of building permits to provide a usable building entrance from N. Whitney Way along the eastern façade, including a sidewalk connecting this building entrance to the public sidewalk.

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

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

After the planned development has been revised per the above conditions, please file **nine (9) sets** of complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. **This submittal shall all also include one (1) complete digital plan set in PDF format.** 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. 28.181(5), 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.

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: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division—Mapping Section  
Eric Halvorson, Traffic Engineering Division  
Adam Wiederhoeft, Madison Water Utility  
Jenny Kirchgatter, Assistant Zoning Administrator  
Janet Schmidt, Parks Division  
Janine Glaeser, Urban Design Commission  
Bill Sullivan, Madison Fire Department

<b>Accela ID: LNDUSE-2017-00100</b>			
<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering (EP)	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:
<input checked="" type="checkbox"/>	Water Utility (EP)	<input type="checkbox"/>	Other: