



Department of Planning & Community & Economic Development
Planning Division

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June 23, 2008

Frank Thousand
Arnold & O'Sheridan, Inc.
1111 Deming Way
Madison, Wisconsin 53717

RE: Approval of a revised preliminary and final plat of Hilldale.

Dear Mr. Thousand:

At its June 16, 2008 meeting, the Plan Commission recommended **approval** of your client's revised preliminary plat and final plat for portions of the Hilldale Shopping Center to the Common Council with the following conditions of approval from reviewing agencies. The Common Council will review a resolution to approve the subdivision on July 1, 2008. The conditions of approval for the revised plat are:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following fifteen (15) conditions:

1. At the time city staff reviewed the revised Hilldale Plat, final amended SIP plans were not made available to city staff to coordinate comments. Therefore, the final plat of Hilldale shall be revised, if necessary, based on the final conditionally approved SIP plans.
2. The Hilldale Development Team wishes to not mix commercial and residential units in a single condominium. There appears to be a simple solution which does not seem to compromise the project or city staff efficiency. Under 703.155 of the Wis. Statutes, it provides for the creation of a "master association" made of one or more condominium associations. So, there could be a single structure that contains both a commercial condominium association and a residential condominium association both of which would be part of a master association. The declarations would define how the rights and responsibilities are divided between the three associations. As a bonus, the master association can also include non-condominium property owners to better coordinate with adjoining property. The developer shall use a master association unless an alternate solution is agreed to by the City Engineer and City Attorney.
3. Proposed plat shall address easement dedications and vacations as approved by the City Engineer.
4. The applicant shall review the right of way requirements for the subdivision with the City Engineer and City Traffic Engineer and shall revise or dedicate right of way if required by the City Engineer.

5. The applicant is advised that City billings from the stormwater utility shall be issued to the recorded owner of the respective underlying "land" parcel. The applicant shall provide evidence that they understand this arrangement and have provided for a means of payment from entities sharing said parcel.
6. A cross-lot agreement is required as stormwater management for one lot is occurring on another.
7. The maintenance agreement for stormwater management features shall be required.
8. Private street names shall approved by the City Engineer and indicated on the final plat.
9. An erosion control plan and land disturbing activity permit shall be submitted to the 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.
10. Prior to the issuance of building permits, the developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight-line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage.

The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27.

The following note shall accompany the master storm water drainage plan:

"For purposes of this plan, it is assumed that grading shall be a straight line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows. "

No building permits shall be issued prior to City Engineering's approval of this plan.

11. Prior to 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) and provide oil & grease control from the first 1/2" of runoff from parking areas.
12. A minimum of two (2) working days prior to requesting City Engineering 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).

13. 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.
14. In accordance with Section s.236.34(1) (c) which says a plat shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (site Register of Deeds recording data) and easements that are being conveyed by the plat. Identify the owner and/or benefiting interest of all easements.
15. 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.

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

16. That a revised reciprocal cross-access and parking easement agreement be submitted for approval by the Director of the Department of Planning and Community and Economic Development, City Engineer and City Attorney's Office prior to final signoff and recording of the Certified Survey Map and final plat. The agreement shall address shared access and parking between lots on the final plat and Certified Survey Map.
17. That the final plat be revised per Planning Division approval to restart the numbering of the subdivision with Lot 1, etc.

Madison Gas & Electric and AT&T previously requested that six-foot wide utility easements be dedicated along the western line of Lot 6 and the southern lines of Lots 2, 3, 6 and 7 on the 2007-version of the final plat. Please contact Marty Jacobi at MG&E, 252-4785, prior to final approval and recording to inquire if the same easements are requested along the western and southern edges of Lot 6 of the revised final plat.

Please note that the City Real Estate Office is reviewing the report of title provided with the plat and CSM and may have comments. That office will send any comments to you by fax. If you have any questions, please contact Jeff Ekola at 267-8719 for more information.

Unless modified herein, the conditions of approval of the two-lot Certified Survey Map contained in the letter dated August 17, 2007 shall be met and the CSM granted final City approval and recorded prior to the final approval and recording of this revised final plat.

Specific questions regarding comments or conditions should be directed to the commenting agency. Any appeal regarding the plats and Certified Survey Map, including the conditions of approval, 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.

Sincerely,

Timothy M. Parks
Planner

cc: Scott McLamore, Joseph Freed & Associates (By E-Mail Only)
Janet Dailey, City Engineering Division
Jeff Ekola, Office of Real Estate Services
Norb Scribner, Dane County Land Records and Regulations