



Department of Planning & Development  
**Planning Unit**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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January 5, 2007

Domenic Lanni  
Joseph Freed & Associates  
220 N Smith Street, Suite 300  
Palatine, Illinois 60067

RE: Approval of a request to amend the previously approved PUD-GDP-SIP (Planned Unit Development, General Development Plan; Specific Implementation Plan) for Hilldale Shopping Center to allow demolition of three office buildings to allow construction of a 65,000 square-foot grocery store, 25,000 square feet of additional retail space, 13,000 square feet of office space, a 40,000 square-foot gym, 238 condominium units and approximately 1,100 structured parking spaces with a future phase consisting of 220 residential units and one hotel..

Dear Mr. Lanni:

At its January 2, 2007 meeting, the Common Council **conditionally approved** your application to amend the previously approved PUD-GDP-SIP for Hilldale Shopping Center. The following conditions of approval shall be satisfied prior to final approval and recording of the amended planned unit development:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty-eight (28) items:**

1. Street vacations and dedications are required for portions of Sawyer Terrace and Frey Street proposed realignments. City Engineering will coordinate and prepare Common Council resolutions to vacate streets as required. Public easements may need to be retained in vacated lands for any existing public storm, sanitary and water facilities that will not be relocated.
2. The developer shall revise the plans for Frey Street and Sawyer Terrace for 7.5 feet of grass to accommodate healthy trees and to minimize the impact of roots on sidewalks and curbs.
3. The developer shall move the sidewalk to one-foot off the property line along University Avenue unless otherwise approved by the City Engineer. The City Engineer shall approve the grade of the sidewalk.
4. Access to University Avenue (CTH MS) must be approved by Dane County Highways.
5. Move stairwell that encroaches into University Avenue right of way.
6. Stormwater detention shall be provided consistent with standard requirement in Madison General Ordinances Chapter 37 for redevelopment within the Lake Mendota watershed.
7. Public storm and sanitary improvements are proposed in the public right of way. A developer agreement with the City of Madison is required.

8. The developer shall dedicate public easements for all relocated public storm and sanitary sewer.
9. The proposed plan shows the sidewalk along Frey Street moved closer to the curb that compromises the tree terrace. A minimum of 8.0 feet of grass shall be maintained between the curb and the sidewalk.
10. The developer shall convey all necessary public easements and right-of-way dedications either by Certified Survey Map or individual City of Madison Real Estate projects.
11. Engineering Mapping section requests that "Mall Drive" be re-named and suggests "Hilldale Way" as an alternative.
12. 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.
13. The applicant shall dedicate right of way for Sawyer Terrace and Frey Street.
14. The approval of this project 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.
15. 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.
16. The applicant shall replace all sidewalk and curb and gutter which abuts the property that is damaged by the construction or any sidewalk and curb and gutter and 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.
17. 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.
18. 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.
19. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, 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 Wisconsin Department of Natural Resources is required.

20. 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.
21. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). 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, other miscellaneous impervious areas.
22. 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.
23. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
24. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
25. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
26. The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.
27. Prior to approval of the conditional use application, 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.
28. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following fourteen (14) items:**

29. Approval of the subject rezoning is conditioned upon the findings of the Freed/Hilldale Traffic Impact Study dated September 2006 and additional study related to the proposed Hill Farms State Office Building. This includes recognition of increased transportation demands on the streets, intersections and neighborhoods surrounding the development. Specific recommendations of the subject studies that involve major changes to City intersections and streets outside those shown on the GDP/SIP site plan will need final review and approval by the City. Unless otherwise modified by an alternative financing plan or exception noted, the developer is expected to finance 100% of the street reconstruction and traffic signal costs for the changes

proposed in the GDP/SIP for City streets. The developer will need to enter into a developer's agreement/subdivision contract with the City for the following improvements required to adequately support the development and neighborhood concerns:

- a.) Well-connected and direct sidewalk system with marked crosswalks at intersections (Joseph Freed and Associates responsibility (JFA)).
- b.) Enhanced mid-block crossing on Frey Street, east of Whole Foods entrance (JFA).
- c.) Improved pedestrian crossing of existing Mall right-in/right-out on University Avenue (JFA). Truck restriction on Sawyer Terrace (JFA and City of Madison (City)).
- d.) Mid-block pedestrian table crossing on Sawyer Terrace at existing stair access to/from mall (JFA).
- e.) Improve accessibility of stair access to/from mall and provide alternative access via accessible ramp (JFA).
- f.) "City Street" type improvements along Mall Road to reduce pedestrian-motor vehicle conflicts (JFA).
- g.) City of Madison to continue investigating feasibility/location of grade separated crossing of University Avenue (City).
- h.) Enhance existing crossing on the west side of the intersection of University Avenue and Segoe Road to provide a better link for pedestrians and bicyclists to the Blackhawk Path north of University Avenue (City). This includes reconstructing the median nose on University Ave and ped-bike ramps.
- i.) Signalized, actuated, two-stage pedestrian crossing at the intersection of Segoe Road and Frey Street (JFA).
- j.) Construct bumpouts at the intersection of Segoe Road and Sawyer Terrace,, and Segoe and Kelab/Heathercrest, to be coordinated with City plans for the addition of Bike Lanes on Segoe Road, to shorten the pedestrian crossing distance on Segoe Road (JFA). Bumpouts to be on both sides of Segoe.
- k.) Maintain existing pedestrian conditions, median refuge on crossings and pedestrian priority at the existing signal at the intersection of Segoe Road and Sawyer Terrace (City).
- l.) To avoid too many traffic signals in a short distance, and provide safety and capacity benefits, construct modern roundabout at the intersection of Segoe Road and Sheboygan Ave with wide splitter islands to provide two-stage pedestrian crossings (City), to be completed by 2008 as a City project. Construction of the roundabout requires purchase of right-of-way in the HFSOB quadrant of the intersection. Said right of way shall be officially mapped as part of the SIP approval. JFA shall also execute a waiver for their reasonable and proportional share of the costs the roundabout right of way and reconstruction and provide a deposit for their estimated share of area wide intersection and traffic signal costs prior to GDP, SIP and CSM sign off. The deposits may be paid in construction phases. A neighborhood educational campaign is recommended to familiarize local residents with roundabout operations for all road users. Signalizing the intersection is an interim solution to roundabout construction.
- m.) To avoid too many traffic signals in a short distance, and provide safety and capacity benefits, construct modern roundabout at the intersection of Segoe Road and Heather Crest with wide splitter

islands to provide two-stage pedestrian crossings (City), as part of future project. JFA shall provide this ROW as part of the GDP and CSM. JFA shall also execute a waiver for their reasonable and proportional share of the costs the roundabout reconstruction and provide a deposit for their estimated share of area wide intersection and traffic signal costs prior to GDP, SIP and CSM sign off. The deposits may be paid in construction phases. A neighborhood educational campaign is recommended to familiarize local residents with roundabout operations for all road users. Signalizing the intersection is an interim solution to roundabout construction.

- n.) Provide abundant bike racks distributed throughout the site (JFA). The final number, location, and design of the bike rack shall be reviewed and approved by the Traffic Engineer.
- o.) Restrict trucks on Sawyer Terrace (JFA and City).
- p.) Widen Sawyer Terrace from 32 feet (face of curb to face of curb) to 36 feet to better accommodate mixed traffic (JFA), and design as pedestrian oriented street, with parking on both sides for most of the street.
- q.) Provide accessible ramp from Sawyer Terrace to Mall (JFA)
- r.) Install marked bike lanes on Segoe Road (requires parking restriction) (City). First phase to include from Sheboygan to University Ave.
- s.) Install marked bike lanes on Sheboygan Avenue (City), as part of future project.
- t.) Convert Sawyer Terrace to a two-way, pedestrian oriented street including modification of the existing signal at the intersection of Segoe Road and Sawyer Terrace (JFA).
- u.) "City Street" type improvements along Mall Road creating a more open and connected street system to encourage Phase II and III vehicle traffic to use Mall Road in addition to Sawyer Terrace and Frey Street (JFA), to be reviewed and approved by City Traffic Engineer.
- v.) Add a northbound left-turn bay at the intersection of University Avenue and Segoe Road, which will provide a total of two, and modify signal equipment and settings (JFA).
- w.) As part of a future reconstruction project of University Ave, add a westbound left-turn bay on University Avenue at Segoe Road, which will provide a total of two, and modify signal equipment and settings (City).
- x.) Construct a "partial" signal at the intersection of Segoe Road and Frey Street to minimize delay and queuing for southbound Segoe Road traffic (JFA). This shall require additional conduit and interconnection along Segoe, from approximately University Ave to Sheboygan Ave. JFA will have to enter into agreement with the City TE for 100% of the signal operation and maintenance costs of this intersection (similar to Heathercrest and Midvale).
- y.) Reconstruct the median on University Ave to provide a left turn in at the Mall Road to provide adequate access to the site. This shall be coordinated with the Mall Road driveway redesign.
- z.) Widen Frey Street at Segoe Rd for about 100 ft, from 32 feet (face of curb to face of curb) to about 40 ft feet to provide adequate access to the site.

- aa.) Relocate sidewalk on University Ave to the property line. Among other things this will provide pedestrian buffer space and space for street trees and landscaping. Final review and approval by the City Traffic Engineer.
  - bb.) Explore and provide if feasible pedestrian walkway through the parking ramp from Mall Road to Whole Foods, escalator and other ped connections. Final review and approval by the City Traffic Engineer.
  - cc.) Submit a construction staging and traffic control plan prior to approval of the GDP and SIP. A condition of these plans is that the development construction cannot impact pedestrian and bicycle access and mobility.
30. The proposed layout of the sidewalks, terrace and streets appears reasonable, however, approval of this PUD (GDP-SIP) does not include the final approval of the changes to roadways, sidewalks or utilities. The applicant shall need to obtain separate approval by the Board of Public Works and Common Council for the restoration and/or reconstruction of the public right-of-way including any changes required by the City or requested by the developer. The University Av. & Segoe Rd improvements shall be reviewed and approved by the City Traffic Engineer and City Engineer. The applicant shall note on the site plan, “ All work proposed in the right-of-way is not being approved as part of the PUD (GDP-SIP). All work in the right-of-way is approved separate by the Board of Public Works, City of Madison.”
31. The developer shall post a deposit or reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking including labor and materials for both temporary and permanent installations.
32. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing.
33. The applicant shall provide scaled drawing on one contiguous updated plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, semi trailer and vehicle movements, sidewalks linkages, ingress/ egress easements, pavement markings, signage and approaches.
34. The applicant shall submit for all the PUD-GDP a signage and pavement marking plan to be approved by the City Traffic Engineering. All directional/regulatory signage and stop bars, line lanes, crosswalks, bike lane lines, etc. and pavement markings on the site shall be shown and noted on the plan as approved by the City Traffic Engineer.
35. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be review by Traffic Engineer to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans 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.
36. The applicant shall submit for each street type approaches a detail 1” = 20’ detail drawing of all the “Street Type Entrance” with plan sheets showing epoxy lane lines, cross walks, stop bars and pavement markings details to be approved by the City Traffic Engineer. In addition, a note shall be shown on the plan, “ALL

PAVEMENT MARKING SHALL BE INSTALLED IN EPOXY AND MAINTIAN BY THE PROPERTY OWNER.”

37. Because of 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 the Wisconsin Department of Natural Resource, John Meier, Air Quality Analyst (267-0869). A letter from the DNR should be provided to City Traffic Engineering demonstrating that the Indirect Source Permit was issued or exempted.
38. The applicant shall modify the grocery store driveway approach on Frey St. according to the design criteria for a "Class III" driveway with sidewalk in accordance to MGO Section 10.08(4). The applicant shall modify the approach width to a maximum of 30 feet with two five-foot flares and a sidewalk across the driveway approach.
39. The applicant shall modify the residential and ramp driveway approach on Frey Street according to the design criteria for a "Class III" driveway with sidewalk in accordance to MGO Section 10.08(4). The applicant shall center the driveway approach on Sawyer Terrace. No sidewalk ramp shall end in a driveway approach with relocating the driveway westerly aligning with Sawyer Terrace the approach will be in accordance with MGO.
40. The applicant shall show the dimensions for all proposed and existing surface and ramp or underground parking stalls items A, B, C, D, E, and F, and for ninety-degree angle parking with nine-foot wide stalls and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. (If two (2) feet of overhang are used for a vehicle, it shall be shown on the plan.) Stair cases, elevators shafts, aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas. The applicant shall modify the existing back area parking spaces around Hilldale Mall along Sawyer Terrace or westerly property line that the westerly existing parking area to be in accordance to MGO nine-foot wide parking spaces.
41. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage (example Stop, Pedestrian Crossing, etc. etc shall be shown) and pavement markings on the site shall be shown and noted on the plan as approved by the City Traffic Engineer. The applicant shall install and show "Stop" signs installed at a height of seven feet at all driveway approaches behind the property line and noted on the plan.
42. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Please contact Barb Constans, Community Development Block Grant Office, at 267-0740 if you have questions about the following item:**

43. The developer must submit detailed and complete Inclusionary Dwelling Unit Plans for City approval at each stage of succeeding SIP applications, and will need to comply with provisions of the IZ ordinance at each phase.

**Please contact Si Widstrand, Parks Division, at 266-4711 if you have questions about the following item:**

44. Park dedication required for this project is 166,600 square feet based on 700 square feet per unit for the 238 additional units in the SIP. The required dedication shall be paid as a fee in lieu of land, based on the actual value of the acreage up to a maximum of \$1.82 per square foot. The dedication fee for this project is \$303,212.00. Park Development Fees are \$128,741.34 (\$540.93 per unit).

→ Total park fees for this project = **\$431,953.34**.

The developer will receive park fee credits for the future green spaces as part of the future approval process for the remaining 220 units.

Park fee payment checks shall be payable to the City of Madison Treasurer, and all questions, payments and deliveries shall be made to the office of the Madison Parks Division. Prior to City signoff on this project, the developer shall select one of the following options for paying these fees:

- a.) Payment of all fees in a lump sum prior to City signoff on the project.
- b.) The developer may pay half the fees and provide a two-year letter of credit for the remaining half of the fees, both prior to City signoff.
- c.) For plats being built with phased subdivision improvement contracts, the developer may pay the fees due for the number of units in each contract, paid at the time of contract execution, and at the fee rates then in effect.
- d.) The fee payment may be paid within fourteen days of issuance of any zoning, conditional use or building permit. No certificate of occupancy may be issued for buildings on any parcel for which there are unpaid impact fees. Under this option, the fees shall be calculated and prorated to each lot on the development, and the developer shall record a notice of the outstanding impact fees for each lot prior to receiving City signoff for the project. All fees shall be paid at the rate in effect at the time of payment.

**Please contact Scott Strassburg, Madison Fire Department, at 261-9643 if you have questions about the following four items:**

45. Clear drawings of fire lanes with buildings shown are needed to check the 30-foot from fire lane for aerial access.
46. Per IFC 509.1 where a fire command center is provided, a plan submittal of the location and accessibility shall be provided to the department for approval. Please note: A fire department permit and plan review is required of the layout of the fire command center and all features required by section 911.1 IBC/ IFC 509.1 to be contained therein and shall be submitted for approval prior to installation.
47. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least **two** fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.
48. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19 as follows:
  - a.) The site plans shall clearly identify the location of all fire lanes.
  - b.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
  - c.) Per IFC 503.3 Show approved "fire lane, no parking" signs posted on the site plan. A maximum of 150 feet on center. Signs must be visual and easily read from any location on the fire lane. Fire lanes 20-27 feet wide will be posted as fire lane on both sides, 28-35 feet wide shall be posted fire lane on the appropriate side only.
  - d.) Provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet of the structure, and parallel to one entire side of the structure.



**Please contact Kathy Voeck, Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following eight items:**

49. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit, to CDBG, a copy of the approved inclusionary zoning plan for recording prior to final signoff of the rezoning.
50. Meet all applicable State accessible requirements, including but not limited to:
  - a.) Provide required accessible stalls striped per State requirements. A minimum of 2-5 of the stalls shall be a van accessible stalls 8-foot wide with an 8-foot wide striped out area adjacent.
  - b.) Show signage at the head of the stalls. Accessible signs shall be a minimum of 60 inches between the bottom of the sign and the ground.
  - c.) Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance or elevator as possible. Show ramps, curbs, or wheel stops where required.
51. Meet with Zoning and Planning staff regarding the zoning text. Receive approval from Zoning and Planning staff of the zoning text prior to submitting final plans.
52. Provide three (10' x 50') loading areas with 14 feet of vertical clearance for the 65,000 square foot grocery store, one (10' x 35') loading area for the health club, one (10' x 35') loading area for the restaurant, two (10' x 35') loading areas for the retail and one loading area for each 100,000 square-foot and portion in excess of 100,000 square feet of residential units to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
53. Provide bike parking stalls in the amount of 142 for the residential portions of this phase of the site and one per each ten cars for the commercial/retail portions of the site in safe and convenient locations on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
54. For parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15 and 20 feet of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
55. Lighting is required for the residential parking areas. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The maximum light trespass shall be 0.5 fc at 10 feet from the adjacent lot line. (See City of Madison lighting ordinance for more information).
56. Lighting is not required for the commercial/retail portion of the parking. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot.

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

57. That the developer receive approval from the Common Council on the vacation of Sawyer Terrace north of Frey Street prior to recording the Amended PUD-GDP-SIP.
58. That the recorded documents shall include assurances that the greenspace on the south side of Frey Street shall be improved by the end of 2009 and be maintained by the owners of the Hilldale Shopping Center and that neither shopping center nor the greenspace shall be sold separately. The specific design of the greenspace shall be subject to Planning Unit and Urban Design Commission staff approval prior to the given date of construction and should incorporate a connection to the Westside Senior Center property to the south if possible.
59. That the developer work with Planning Unit and Zoning staff to reformat the zoning text for the PUD prior to recording that separates the letter of intent for this phase from the zoning text for the overall development.
60. That the applicant receive final approval of the Inclusionary Dwelling Unit Plan for Phase II and execute a Land Use Restriction Agreement (LURA) for the entire property as required by the Community Development Block Grant Office.
61. That the applicant submit a Construction Traffic Management Plan to the Planning Unit and Traffic Engineering Division for approval prior to recording of this amended PUD-GDP-SIP. Said plan shall include but not be limited to identifying the scope of work for the project site, travel patterns of all heavy machinery accessing the site, the general location of any bus stops, sidewalks and/or pedestrian/ bike travel routes that will be closed or relocated during construction (including any temporary accommodations), and any signage required to implement this plan.
62. That the applicant submit a Reuse and Recycling Plan for approval by the City of Madison Recycling Coordinator prior to the permits for demolition being issued.
63. That the GDP zoning text be amended to include the following:  
“the maximum floor-to-area ratio and dwelling unit densities could potentially be allowed by the standards included in the General Development Plan may or may not be ultimately achieved upon full build-out of the site. The additional dwelling units proposed and additional square footage of development proposed beyond the Phase II SIP shall require review and approval of a Specific Implementation Plan for each phase of additional development. Each phase shall be reviewed against the standards included in the Planned Unit Development section of the Zoning Ordinance to determine if the additional development can be accommodated on the site in a manner which does not have a substantial negative impact on the uses, values and enjoyment of other properties within the neighborhood for uses already permitted.”
64. A parking ramp security plan be submitted to and reviewed by the Traffic Engineer and Madison Police before final signoff.
65. No exterior construction work to take place on Sundays. Allow construction to begin as early as 6:00 a.m. with alder notification, for quiet activities such as pouring concrete.
66. That steps be taken to minimize noise from rooftop mechanical units for the Whole Foods store.
67. That the conditions of approval listed in the December 4, 2006 memorandum from the Hill Farms Neighborhood Association Planning Committee and Board of Directors to the Plan Commission are included in the conditions for this project.

Approval of 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 plans have been changed as per the above conditions, please file **twelve (12) sets** of the revised, complete site plans, building elevations, floor 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 signature of final approval. A copy of the Reuse and Recycling Plan shall also be submitted to Zoning for forwarding to the City's Recycling Coordinator for 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.

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, or if you like to discuss any of these pre-recording conditions of approval with the Development Assistance Team at one of its upcoming meetings, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
 Planner

cc: Kathy Voeck, Asst. Zoning Administrator  
 Janet Dailey, City Engineering  
 Si Widstrand, Parks Division  
 John Leach, Traffic Engineering  
 Mary Anne Thurber; Madison Police Dept.  
 Scott Strassburg, Madison Fire Department  
 Barb Constans, CDBG Office

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit (T. Parks)	<input type="checkbox"/>	Madison Water Utility
<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	<input checked="" type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Metro Transit
<input checked="" type="checkbox"/>	CDBG Office (IDUP)	<input checked="" type="checkbox"/>	Other: Police Department