



Department of Planning & Development  
**Planning Unit**

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

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FAX 608 266-8739  
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December 14, 2005

Dennis Harder  
Joseph Freed & Associates  
220 N Smith Street, Suite 300  
Palatine, Illinois 60067

RE: Approval of a request to rezone 702 N. Midvale Boulevard from PUD-SIP (Planned Unit Development, Specific Implementation Plan) to Amended PUD-SIP to allow demolition of an existing bank to allow construction of a 7,900 square-foot restaurant with outdoor eating area and decorative landscaping feature at Hilldale Shopping Center.

Dear Mr. Harder:

At its December 13, 2005 meeting, the Common Council **conditionally approved** your application for rezoning property located at 702 N. Midvale Boulevard from PUD-SIP to Amended PUD-SIP. The following conditions of approval shall be satisfied prior to final approval and recording:

**Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following eight items:**

1. Revised sump plans reviewed and approved already.
2. The proposed driveway low points shall collect some runoff from the public right-of-way (Midvale Boulevard). The owner shall construct, own, and maintain this storm sewer as a private system, but shall provide the City with an easement allowing public drainage to this storm system.
3. A City licensed contractor shall perform all work in the public right-of-way.
4. 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.
5. 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, and other miscellaneous impervious areas.

6. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
7. 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.
8. 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.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following sixteen (16) items:**

9. As noted with the initial rezoning (PUD-GDP-SIP), approval of the subject rezoning is conditioned upon the findings of the Freed/ Hilldale Traffic Impact Study, which includes recognition of increased transportation demands on the streets, intersections and neighborhoods surrounding the development. Specific recommendations of the subject study that involve major changes to City intersections and streets outside those shown on the GDP/SIP site plan will need further review and approval by the City. Further, the GDP was conditionally approved subject to any SIP or further development or expansion providing a more detailed development and transportation management plan and revised and more detailed, area-wide traffic impact study. And unless otherwise modified by an alternative financing plan, 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. Such changes require that the Developer will need to enter into a developer's agreement/subdivision contract with the City for the public infrastructure items associated with their development.
10. 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 requested by the developer. The University Avenue and Segoe Road 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."
11. The applicant shall enter into a subdivision contract or developer's agreement for the reconstruction of the streets and sidewalk adjacent to the development, including the sidewalk along University Avenue and intersection changes on Segoe Road. The reconstruction of the streets and sidewalk shall be subject to the plans and specifications of the City Traffic Engineer and City Engineer.

12. Approval of the proposed driveway on University Avenue is subject to the developer obtaining the Traffic Engineer's review and approval of a detailed, engineering scale plan showing the sidewalk relocation and grade; existing signs, poles, features in the terrace, including a plan for the installation of street trees with City Forestry input; public transit features and signs; the landscaping plan on both sides of the sidewalk, and the building's features and relationship to the sidewalk, including locations of windows and outdoor seating areas.
13. The final results of the developer's traffic impact study shall be reviewed and approved by the Traffic Engineer prior to final signoff on the subject SIP.
14. The developer shall post a deposit or reimburse the City for all costs associated with any modifications to street lighting, signing and pavement marking including labor and materials for both temporary and permanent installations.
15. The developer/parcel owner(s) shall execute a waiver of notice and hearing on special assessments for potential future traffic signals and associated street improvements at intersections adjacent to the development. The attached traffic signal and street light declaration of conditions and covenants shall be executed and returned.
16. 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, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
17. The applicant shall provide scaled drawing on one contiguous 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, ingress/egress easements and approaches.
18. 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.
19. The applicant shall modify the grocery store and condominium driveway approaches on Sawyer Terrace and Frey Street according to the design criteria for a "Class III" driveway with sidewalk in accordance to Madison General Ordinance Section 10.08(4).
20. If the University Avenue driveway and special street type approach is approved, the applicant shall provide a detail 1" = 20' detail drawing of 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."
21. The applicant shall show the dimensions for all proposed surface and underground parking stalls items A, B, C, D, E, and F, and for ninety-degree angle parking with nine (9) 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 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.

22. The condominium site parking facility shall be modified to provide for adequate internal circulation for vehicles at the surface dead end parking area. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
23. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan as approved by the City Traffic Engineer.
24. 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 John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following item:**

25. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
  - a.) Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28-feet. Fire Access Route shown going over parking lot islands.
  - b.) The site plans shall clearly identify the location of all fire lanes.
  - c.) 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.
  - d.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

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

26. Provide one 10' x 35' loading area with 14 feet vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
27. Provide eight bike-parking stalls in a safe and convenient location 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.
28. 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 feet 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.

29. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See Parking Lot packet available from the Zoning Administrator). Lighting will be limited to .08 watts per square foot.

30. NOTE: Previous PUD-SIP zoning text is applicable.

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

31. The applicant shall install a concrete passenger boarding pad on the west side of N. Midvale Boulevard, approximately 100 feet south of University Avenue, generally opposite the accessible pedestrian walkway. The concrete pad shall occupy the full distance of the terrace, measure 6 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.

32. The developer shall install and maintain a bench or other seating amenity and a trash receptacle on the property side of the sidewalk, to either side of the accessible pedestrian walkway apron.

33. The developer shall include the location of this concrete passenger boarding pad and the passenger amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.

34. Metro Transit has proposed to initiate bus service seven days a week along N. Midvale Boulevard between University Avenue and the Heather Crest access road along the south mall frontage, effective March of 2006. Metro bus stop #2286 would be installed on the west side of the N. Midvale Boulevard, approximately 100 feet south of University Avenue.

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

35. That no new utilities, water meters, air conditioning units, telephone or electric equipment storage, or exhaust vents be located in any yard of the building adjacent to a public street or private drive. All such equipment regardless of location shall be adequately screened from view.

36. That the landscaping plan be revised to define the species "vsb" to be planted.

After the plans have been changed as per the above conditions, please file **ten (10) 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.

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.

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 (30) months of Common Council approval of the General Development Plan or within eighteen (18) months of the recording of the Specific Implementation Plan, whichever is less, the basis right of use for the areas, when in conformity with the approved Specific Implementation Plan, shall lapse and be null and void unless the project, as approved, is commenced by the issuance of a building permit. If a new building permit is required pursuant to Sec. 28.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain 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: Kathy Voeck, Assistant Zoning Administrator  
Gary Dallman, City Engineering  
John Leach, Traffic Engineering  
John Lippitt, Madison Fire Department  
Tim Sobota, Metro Transit

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 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
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Metro Transit
<input type="checkbox"/>	CDBG Office	<input type="checkbox"/>	Other: