

PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of October 1, 2008

RE: I.D. #11602, Conditional Use Application – 5166 Great Gray Drive

1. Requested Action: Approval of a conditional use to allow construction of a four-unit townhouse building at 5166 Great Gray Drive in the Owl Creek subdivision.
2. Applicable Regulations: Section 28.08(5) identifies multi-family dwellings as conditional uses in R4 zoning. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant & Property Owner: Ronald J. Grosso, Grosso Investment Properties, LLC; 400 Progress Drive; Cottage Grove.

Agent: Jim Glueck, Glueck Architects; 116 N. Few Street; Madison.
2. Development Schedule: The applicant and property owner wish to proceed as soon as all necessary approvals have been granted, with completion of the project in spring 2009.
3. Parcel Location: An approximately 12,874 square-foot parcel located at the northwest corner of Great Gray Drive and Owl Creek Drive; Aldermanic District 16; Madison Metropolitan School District.
4. Existing Conditions: Undeveloped parcel, zoned R4 (General Residence District).
5. Proposed Use: A new four-unit townhouse.
6. Surrounding Land Use and Zoning: The subject site and adjoining lots to the north and south are undeveloped lots in the Owl's Creek subdivision that were approved for the development of four-unit buildings in R4 (General Residence District) zoning. Lots to the west along Great Gray Drive have been developed with duplexes in R3 (Single and Two-Family Residence District) zoning. Owl Creek four-unit townhomes, zoned R4 and undeveloped lands, zoned W (Wetlands) are located to the east.
7. Adopted Land Use Plan: The Marsh Road Neighborhood Development Plan as adopted recommends the residential areas of the Owl's Creek subdivision for low-density residential uses. The plan map has been updated to reflect the one-, two- and multi-family uses approved with the Owl's Creek plat.

8. Environmental Corridor Status: This property is not located within a mapped environmental corridor.
9. Public Utilities & Services: This property will be served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the conditional use standards of Section 28.12 (11).

PREVIOUS CASES

On May 17, 2005, the Common Council approved a request to rezone property located at 4949 Meinders Road from Temp. A (Agriculture District) to R2S (Single-Family Residence District), R3 (Single and Two-Family Residence District) and R4 (General Residence District) and the preliminary plat of Owl's Creek subdivision proposing 73 single-family lots, 16 two-family lots, four lots for four-unit townhomes, and outlots for public parkland and stormwater detention. The Common Council approved a final plat containing 70 single-family lots, 15 two-family lots and 4 lots for four-unit townhomes on July 5, 2005. The plat was recorded on November 9, 2005.

On April 2, 2006, the Plan Commission approved a conditional use for a four-unit townhouse on the parcel directly south of the subject site. To date, this townhouse has not been constructed.

PLAN REVIEW

The applicant is requesting approval of a conditional use to allow construction of a four-unit townhouse at the northwest corner of Great Gray Drive and Owl Creek Drive in the Owl's Creek subdivision. The undeveloped R4-zoned site is one of four lots in Owl's Creek subdivision that were identified for the construction of up to four units each following approval of individual conditional use permits. The four R4-zoned lots including the subject site are located along the west side of Owl Creek Drive. West of these four lots, the density of the subdivision transitions to 15 two-family dwellings in R3 zoning, with the remainder of the development comprised of 70 R2S-zoned single-family lots located further to the south and west. The R4-zoned lots are located opposite 5 four-unit townhouse located on the east side of Owl Creek Drive, which were approved prior to the Owl's Creek subdivision.

Plans for the proposed townhouse call for a two-story structure facing Great Gray Drive. The four dwellings units will each contain 3 bedrooms and 2.5 baths and an attached rear-loaded two-car garage along the north wall with access provided by a shared driveway from Owl Creek Drive. Though no floorplan has been provided, the front elevation appears to show a partially exposed basement for each unit. The units will include individual covered entrances with steps up from private walkways connecting to the Great Gray Drive sidewalk. The building will be set back approximately 26 feet from Great Gray Drive and 35 feet from the northern, rear property line in conformance with R4 yard requirements.

Building elevations of the proposed townhouse structure depict a horizontally sided structure with a gable roof running along the length of the building. The exposed basement will be clad in

masonry. The street-facing south wall will include modest 1-foot deep projections topped by gable dormers in an effort to provide articulation along Great Gray Drive.

A landscaping plan has been submitted that proposes the planting of a shade tree at the corner of the site adjacent to Great Gray and Owl Creek Drives and 9 unspecified ornamental trees in the front and side yards of the townhouse. A line of shrubs is proposed along the northern property line to provide screening from the shared driveway serving the rear wall garages.

At the time the rezoning and plat of Owl's Creek was approved in 2005, one of the four future multi-family units on the subject site was identified as an owner-occupied inclusionary dwelling unit under the Inclusionary Dwelling Unit Plan for the subdivision and the parcel was restricted by the plat's Land Use Restriction Agreement. The inclusionary dwelling unit was marketed as required by the Zoning Ordinance along with other units in the subdivision on the LURA. However, the unit did not sell within the timeframe provided and the City released the land use restriction on this parcel and three other Owl's Creek parcels on April 10, 2008. The applicant intends to rent the four proposed dwelling units.

ANALYSIS AND EVALUATION

The applicant is requesting approval of a conditional use to allow construction of a four-unit townhouse on an R4-zoned parcel that was created and zoned for such a use with the plat of Owl's Creek subdivision in 2005. The Planning Division feels that the proposed townhouse is a sufficiently well designed residential structure with a good orientation to Great Gray Drive. In order for building permits to be issued, staff will work with the architect on providing additional detail on the plans, including clarifying the horizontal siding to be used and elaborating on and expanding the landscaping to include additional screening along the rear property line and the addition of shrub and perennial plantings along the perimeter of the building. To that end, staff is recommending a condition of approval that identifies the siding to be used as fiber cement board, which staff recommends for its high-quality appearance and durability, with the landscaping to be addressed on a plan approved by the Planning Division Director.

Multi-family residential uses with three or more dwelling units are conditional uses in R4 zoning and the request before the Plan Commission is similar to others that the Commission typically handles on a routine basis. The subject site was one of four lots in the Owl's Creek subdivision created for the express purpose of the construction of up to four dwelling units, and the townhouse before the Commission appears to conform to the R4 bulk and mass requirements. In cases such as the four-unit townhouse before the Commission, the primary focus of the conditional use review has typically focused on the design of the multi-family building and its ability to fit within the context of the emerging neighborhood. This is in contrast to the review of a multi-family use in an older, more established neighborhood of the City, where the Commission may deal with many other factors related to the impact of a proposed multi-family use on other established land uses nearby.

However, the request before the Plan Commission at 5166 Great Gray Drive deviates somewhat from the typical multi-family land use approval in a newer neighborhood or subdivision. An unsettling trend has emerged in the Owl's Creek subdivision despite its status as a rather new

development, with a plat that was recorded less than three years ago. To date, much of the housing that has been built in Owl's Creek has been the two-family dwellings that were approved along Great Gray Drive and Horned Owl Drive west of the subject site and the other three parcels zoned R4 for future multi-family uses. What has emerged has been a mix of mostly underwhelming structures that are modestly built and include minimal landscaping, giving the relatively new development a tired appearance from a design perspective that could affect the normal and orderly development of the buildings to be built in the remainder of the subdivision. Furthermore, staff has been alerted to a high number of calls for police service on Great Gray Drive (see attached memo from Lt. Carl Strasburg, Madison Police – East District). While the Police Department did not provide baseline data for comparison with other neighborhoods of similar vintage, the number of calls strikes Planning Division staff as high given the age of the neighborhood and the fact that most of the lots within the subdivision are currently undeveloped.

One of the concerns related to the number of calls for service pointed to in the Police Department memo was the adequacy of tenant screening in the adjacent two-unit buildings, seven of which were built and are managed by the applicant, Mr. Grosso. One of the actions that have been discussed with Mr. Grosso to address concerns with his two-unit buildings has been the use of better tenant screening. Planning staff feels that a high level of tenant screening is essential if additional rental units are going to be constructed in the Owl's Creek neighborhood and recommend that the tenant screening services of the Apartment Association of South Central Wisconsin or an equivalent level of screening be required as a condition should this conditional use request be approved. The service, which requires payment of a fee with each screening performed, includes information on collections, public judgments, profit and loss write-offs and bankruptcies, criminal background and evictions for the prospective tenant. While heightened tenant screening will not necessarily eliminate future calls for service, it should result in greater landlord awareness and fewer police calls over time.

Developments in the Owl's Creek subdivision have also highlighted the possible need to review how residential densities are allocated within projects. The Owl's Creek subdivision, as noted above, was approved with R4 multi-family uses along Owl Creek Drive, which serves as the primary access into this subdivision and developments to the south from Voges Road. To their immediate west was a cluster of R3-zoned two-family dwellings, with the remainder of the plat made up of single-family lots in R2S zoning. Among topics being discussed by Planning staff as possible changes to future residential land use planning and subdivision approval include integrating various residential building forms (single-family homes, duplexes, townhouses, apartments, etc.) throughout developments as opposed to the creation of concentrations of residential types in specific areas of neighborhoods. Such integration will also limit the use of certain building forms as buffers for other residential buildings from undesirable land uses like arterial roadways or non-residential uses. Staff is also exploring design standards for two-family buildings that will hopefully result in a more sustainable and attractive form for those buildings than the frequently uninspiring side-by-side split duplexes that have been built over the last 40 years. However, while some of these planning and subdivision changes may apply to future residential developments, it is important to note that the proposed four-unit townhouse is in conformance with the zoning of the site as designated at the time the plat was approved and that this application should be weighed against its ability to meet the conditional use standards.

CONCLUSION

In closing, the Planning Division believes that the standards for approval could potentially be met with the subject conditional use for a four-unit townhouse at 5166 Great Gray Drive subject to appropriate conditions being added to the project such as those enumerated below. Staff is concerned, however, that adequate measures be in place prior to this conditional use permit being granted and that the applicant demonstrate to the Plan Commission that the issues related to the management and screening of their other area properties has been adequately addressed so that the Plan Commission can be assured that this property will be properly managed and maintained. There is justifiable concern about the direction of the Owl's Creek neighborhood as a result of some of the dwelling units that have been constructed and their management. Staff believes that the decision on the subject conditional use can certainly be informed by some of the lessons learned on nearby properties. (It should be pointed out that the Police Department and City Attorney's Office are having ongoing discussions with the owners of the two-family buildings in the neighborhood in an effort to improve the condition of those residences and the larger area.) In the case of the subject townhouse, staff believes that with the requirement for comprehensive screening of the future tenants of the four units and the improvements to the building and site requested, the proposed townhouse can begin to point the Owl's Creek subdivision in a better, more tenable direction.

RECOMMENDATION

The Planning Division recommends that the Plan Commission carefully consider the testimony provided at the public hearing and the materials provided in making their determination whether the conditional use standards are met.

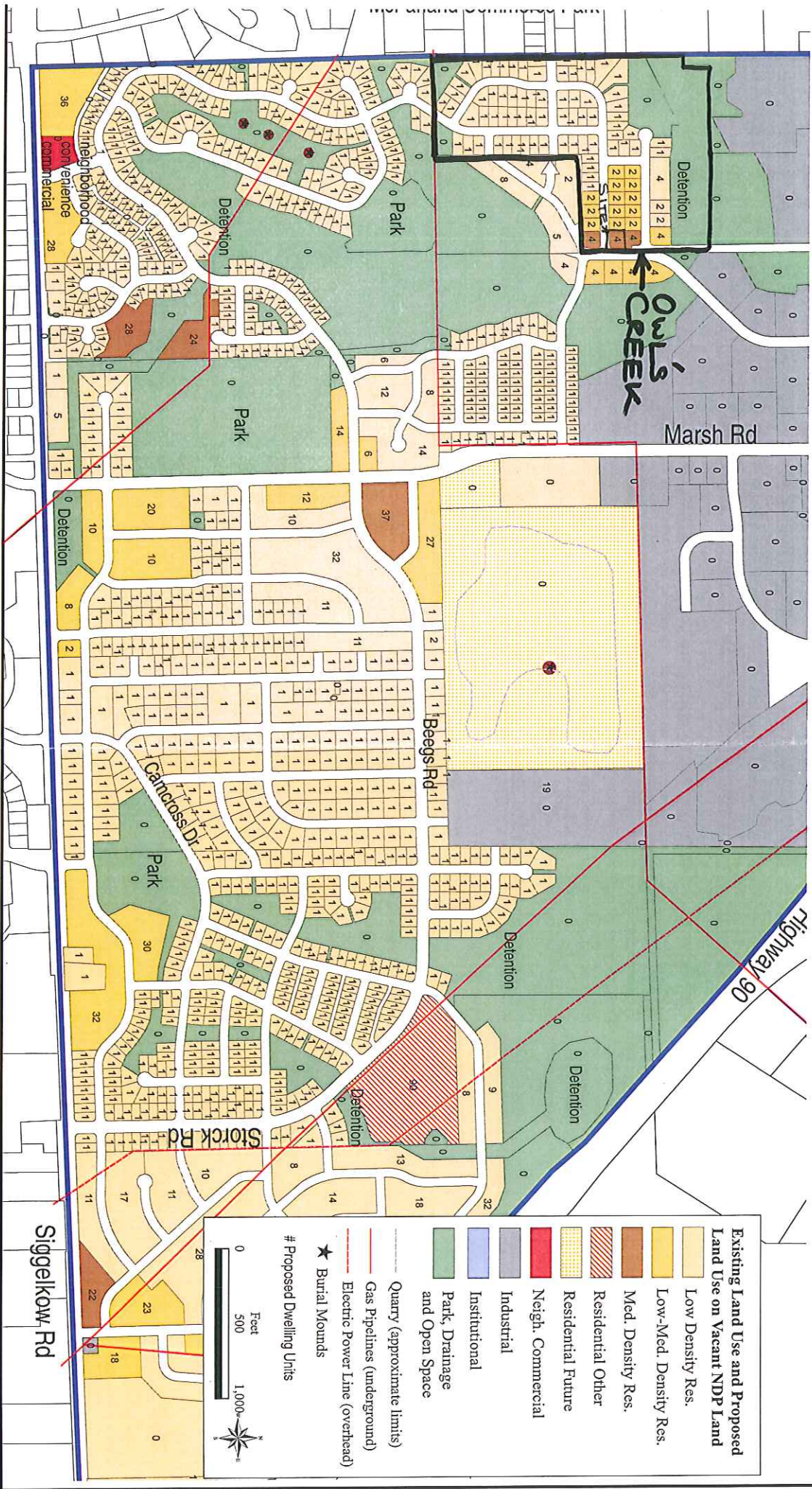
If the Plan Commission approves the construction of the four-unit townhouse at 5166 Great Gray Drive, staff recommends the following conditions:

1. Comments from reviewing agencies.
2. That the site plan be revised per Planning Division approval as follows:
 - a.) show the correct setback from Great Gray Drive (approximately 26 feet per staff measurement);
 - b.) remove the "existing"/ "future" labels (as the street and sidewalks have now been constructed).
3. That the building elevations be revised to identify the materials to be used per Planning Division approval. The horizontal siding shown shall not be vinyl; staff recommends that fiber cement siding or some alternative high quality, durable siding material approved by the Planning Division Director be used.
4. That no 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. All equipment regardless of location shall be adequately screened from view per a plan approved by the Planning Division.

5. That a final landscaping plan be approved by the Planning Division Director prior to final staff approval of the conditional use and issuance of building permits. The landscaping plan shall include a continuous line of evergreen and deciduous shrubs along the northern property line to adequately screen the shared driveway, the planting of beds of shrubs and perennials along the front and side elevations, and shall adequately identify the size and species of trees and shrubs shown. Shade trees shall be a minimum of 2 ½-inch caliper at planting; ornamental trees shall be 1 ½ to 2-inches minimum at planting and any proposed evergreen trees shall be a minimum of 6 feet in height at planting.
6. That future tenants of the four-unit townhouse be screened for occupancy using the tenant screening services provided by the Apartment Association of South Central Wisconsin or an equivalent level of screening as approved by the Planning Division Director and City Attorney's Office. At a minimum, the tenant screening shall include information on tenant collections, public judgments, profit and loss write-offs and bankruptcies, criminal background and evictions. In order to comply with this condition, the developer shall submit a written screening process (copy of application and specifically how tenants will be screened (resources to be used, etc.)) and commit in writing to following the approved process for all future tenants. The owner of the property shall be required to retain all screening information for a period of five years and shall submit the record to the City upon request by the Planning Division Director.
7. Consideration should be given to requiring more active management of this property. The Plan Commission should consider requiring that the applicant retain the services of an experienced property management company to manage this property. The company shall be approved by the Director of the Building Inspection Division and the City Attorney's Office prior to the issuance of building permits.

Marsh Road Neighborhood Development Plan

As Adopted October 1999 and *implemented through subdivision and zoning approvals



Existing Land Use and Proposed Land Use on Vacant NDP Land

- Low Density Res.
- Low-Med. Density Res.
- Med. Density Res.
- Residential Other
- Residential Future
- Neigh. Commercial
- Industrial
- Institutional
- Park, Drainage and Open Space
- Quarry (approximate limits)
- Gas Pipelines (underground)
- Electric Power Line (overhead)
- Burial Mounds

Proposed Dwelling Units

0 500 1,000 Feet

North arrow

CITY OF MADISON
CORRESPONDENCE / MEMORANDUM

DATE: August, 20,2008

TO: Brad Murphy & City of Madison Plan Commission

FROM: Lt. Carl Strasburg, Madison Police

SUBJECT: 5156 Great Gray Conditional Use Permit Application

The Owl Creek neighborhood began showing signs of concern to police starting in 2007 when East district officers, Madison Metropolitan School District principals and residents of the nearby Liberty Place neighborhood independently brought to our attention several concerns they had for the current condition and safety of the Owl Creek neighborhood.

I began to examine Police Calls for service. During the period of March 1st - June 30 of 2008. Madison Police responded to a total of 81 Police Calls for service (CFS). Please keep in mind Owl Creek is a very new approximately 4-6-block area.

I broke down the CFS by owner during the same period (March 1-June 30,2008). Below are the addresses with the most CFS:

Address/Owner

5157 Great Gray 5 calls/ RLA Const
5159 Great Gray 5 Calls/ RLA Const.
5158 Great Gray 5 Calls/ Grosso
5133 Horned Owl 4 Calls/ Nelson
5126 Horned Owl 4 Calls/ Carney
5101 Horned Owl 3 Calls/ Grosso

Other Notable Addresses/Owner:

5150 Great Gray 1 Call/Grosso
5142 Great Gray 1 Call/Grosso

We also discovered that 10 individuals who lived in this small area had long criminal histories and/or had active warrants for them. One individual had a conviction of 1st degree reckless homicide. This individual lived at a Grosso property. (The Grosso's knew he was listed, as a resident but had no knowledge of his criminal history). Kathy Grosso explained they did not research him in CCAP.

We became very concerned about the need for police services and criminal presence in this new neighborhood and began to take steps to attempt to improve the current condition of the neighborhood.

On June 30th. 2008. myself, alder Judy Compton, Jennifer Zilaavy from the City Attorney's office and Nancy Jensen from the Apartment Association of South Central Wisconsin scheduled a meeting regarding our concerns. All owners were invited only one, RLA Construction showed, and our discussion with RLA went well. In July, I did meet with the Grosso's. We discussed screening practices, tenant rules and our overall concern with Owl Creek. Suggestions were made to the Grosso's regarding how they can improve their screening process and property management techniques. I also supplied them with a packet titled "Landlord Training Chronic Nuisance Premises Ordinance & Best Management Practices"; this was developed by the City Attorney's office & The Apt. Assoc. of South Central Wisconsin. Kathy Grosso did however mention at this meeting that they don't spend as much time as they should at the Owl Creek properties but they plan on improving that. After this meeting The Grosso's did issue several five-day notices to tenants. In July I was contacted by Captain Scott Faust of The Sun Prairie Police Department Capt. Faust informed me that The City of Sun Prairie also had concerns regarding Police calls for service at properties in Sun Prairie that were also

owned by the Grosso's

Currently I believe the Grosso's have improved the screening of prospective tenants and have stated to me that they have began to implement better property management techniques. I remain very optimistic that owners like the Grosso's and city agencies have begun to work together to improve the condition of this neighborhood.

Our concerns are:

- The condition and safety of the entire neighborhood and the impact this neighborhood has on it's surrounding neighborhoods.
- The impact this neighborhood has had on Police services.
- Why didn't the property owners conduct better screening techniques prior to this point?

We feel strongly that the neighborhood needs stability and improvement before additional growth takes place. We do not think one month after the Grosso's implemented improved management practices is enough time for adequate change to take place. We would like to recommend that before any additional development would take place in the Owl Creek neighborhood the following benchmarks be reached:

- A steady and consistent pattern of a reasonable amount of CFS.
- Basic neighborhood infrastructure take place that is conducive to a healthy vibrant neighborhood this may include: Madison Metro bus routes, establishing usable park space, establishing appropriate social service needs.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
1 866 704 2315 Textnet

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dalley, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Manager
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

Financial Officer
Steven B. Danner-Rivers

DATE: August 7, 2008
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 5166 Great Gray Drive Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The Developer shall complete public street improvements by Private Subdivision Contract prior to issuance of building permits.
2. 5166, 5168, 5170 and 5172 Great Gray Drive are the approved addresses for this site and have been added to City of Madison database records.
3. Any damage to pavement will require restoration in accordance with the City's Patching Criteria.
4. Approval shall be withheld until substantial completion of the public improvements to the adjacent streets. Construction of said improvements is in progress.
5. Sanitary cleanouts need to be clearly identified on the plan, including where existing lateral is being connected to.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.

Name: 5166 Great Gray Drive Conditional Use

General

- 1.1 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.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.

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- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 1.6 Submit a PDF of all floor plans to Lori Zenchenko 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.
- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for this development. The Developer shall indicate the method of payment as provided below:
 - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
 - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall receive the invoices to pay the outstanding impact fees at the time of permit issuance. The following shall be required prior to plat sign off;
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
 - b) All information shall transmitted to Janet Dailey by e-mail at jdailey@cityofmadison.com, or on a CD to:

Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

Right of Way / Easements

- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

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- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
 - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
 - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
 - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division. The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
 - b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin

- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along ____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.8 The Applicant shall make improvements to _____ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) _____
- 3.9 The Applicant shall make improvements to _____. The improvements shall consist of _____.
- 3.10 The approval of this Conditional Use 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.
- 3.11 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.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which 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.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 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.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.18. 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 or 266-4816.

Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 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.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.
- 4.6 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 WDNR is required.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If 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 Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
 - Detain the 2 & 10-year storm events.
 - Detain the 2, 10, & 100-year storm events.
 - Control 40% TSS (20 micron particle) off of new paved surfaces
 - Control 80% TSS (5 micron particle) off of new paved surfaces
 - Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.
 - 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.

Stormwater management plans shall be submitted and approved by City Engineering prior to sign-off.

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
 - 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) All Underlying Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words "unplatted"
 - h) Lot/Plat dimensions
 - i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks,

parking/pavement during construction will require a new CAD file.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a) SLAMM DAT files.
- b) RECARGA files.
- c) TR-55/HYDROCAD/Etc...
- d) 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.

- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

Utilities General

- 5.1 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.

- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.

- 5.6 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.

Sanitary Sewer

- 6.1 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 6.2 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 / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 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.



Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

August 7, 2008

TO: Plan Commission
FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager
SUBJECT: **5166 Great Grey Drive – Conditional Use – Four (4) Unit Townhouse**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. 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), percent of slope, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
4. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.

5. The applicant shall design the garage parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area.
6. 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 Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Jim Glueck
Fax: 251-2550
Email: glueckarch@sbcglobal.net

DCD: DJM: dm



CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295

Phone: 608-266-4484 • FAX: 608-267-1153

DATE: 7/29/08
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **5166 Great Grey Dr.**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

1. 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 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, if any part of the building is over 30 feet in height.
 - c. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan

267-8739



Madison

Department of Planning & Community & Economic Development
Planning/Neighborhood Preservation & Inspection/Economic & Community Development
Mark A. Olinger, Director

Bradley J. Murphy
Planning Division
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, WI 53701-2985
(608) 266-4635

REVIEW REQUEST FOR:

- PRELIMINARY PLAT
- FINAL PLAT
- LOT DIVISION/CSM
- CONDITIONAL USE
- DEMOLITION
- REZONING
- INCLUSIONARY ZONING
- OTHER

5166 Great Grey Drive
Construct 4-Unit Townhouse
Ronald J Grosse - Grosse Investment Properties/Jim Glueck - Glueck Architects

PLANNING DIVISION CONTACT: Tim Parks

RETURN COMMENTS BY: 07 August 2008

PLEASE ALSO EMAIL OR FAX ANY COMMENTS TO THE APPLICANT:

Applicant E-mail: glueckarch@sbcglobal.com Fax: 251-2550

Date Submitted: 16 July 2008 Plan Commission: 18 August 2008

Date Circulated: 21 July 2008 Common Council: _____

CIRCULATED TO:

- ZONING
- FIRE DEPARTMENT
- PARKS DIVISION
- TRAFFIC ENG.
- CITY ENG. - DAILEY
- CITY ENG. - PEDERSON
- WATER UTILITY
- CDBG - CONSTANS
- REAL ESTATE - EKOLA

- DISABILITY RIGHTS
- POLICE DEPT. - THURBER
- CITY ASSESSOR -M. RICHARDS
- MADISON METRO - SOBOTA
- MMSD BOARD, C/O SUPT.
- PUBLIC HEALTH - SCHLENKER
- NEIGHBORHOOD ORGANIZATION

- ALD. COMPTON DIST. 16
- MADISON GAS & ELECTRIC
- ALLIANT ENERGY
- A T & T
- T D S
- MT. VERNON TELE

- Review the above as per time schedule set in Chapter 16.23(5)(b)2; 16.23(5)(3)3; or Chapter 28, City of Madison Ordinance; OR your agency's comments cannot be considered prior to action.
- One copy for your files; one copy for file of appropriate telephone company; PLEASE RETURN one copy with joint comments.
- The above is located in your district. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.
- The above is located within or near the limits of your neighborhood organization. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.

RETURN COMMENTS TO: PLANNING DIVISION, DEPT. OF PLANNING & COMMUNITY & ECONOMIC DEVELOPMENT, ROOM LL100 MMB, 215 MARTIN LUTHER KING JR. BLVD.

NO COMMENTS / YOUR COMMENTS:

I cannot sign off on this Conditional use. I disapprove it per the standard #1. I will speak to this at the PC meeting
Judey

Parks, Timothy

To: Murphy, Brad
Subject: RE: Owl Creek Subdivision

From: Compton, Judy
Sent: Monday, September 29, 2008 9:39 AM
To: Murphy, Brad
Cc: Plant, Joel; Hank, George; Tucker, Matthew; Klubertanz, Jill; Strasburg, Carl
Subject: FW: Owl Creek Subdivision

I went back to look for history on this project, and found this email message. I forwarded it---No further complaints occurred to me, but I understand that concerns have been registered in engineering at least.

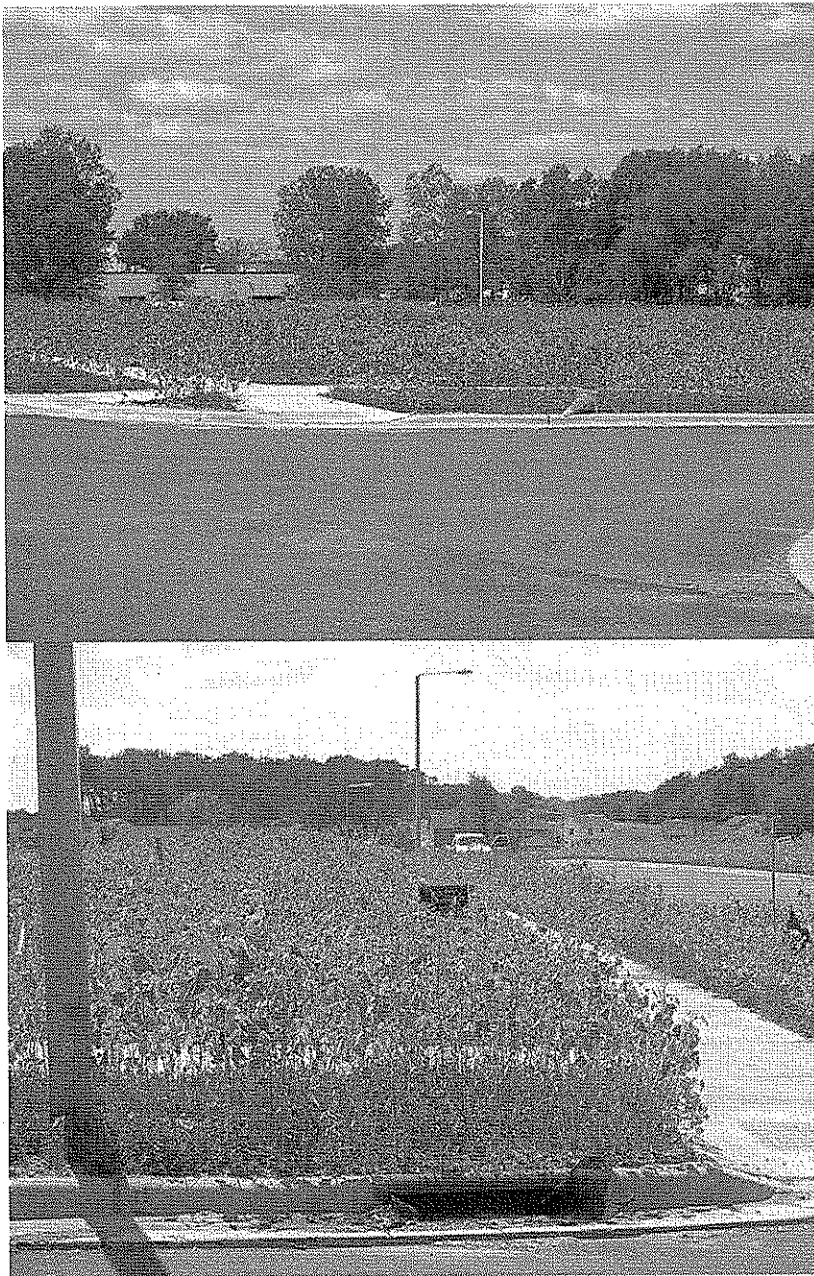
Brad, would adding this to the Plan Packet for this property be helpful? The complaint seems to be about the Nelsons, but safety issues are addressed. I will leave it up to you.

Judy
Alder Judy Compton
City of Madison
District 16
Phone: 608-221-2567 (home)
608-223-6007 (office)
email: jcompton@cityofmadison.com

Sent: Tuesday, August 22, 2006 2:05 PM
To: Judy Compton
Subject: Owl Creek Subdivision

Hi Judy,

We are very concerned for our safety and that of others as a result of apparent neglect of lighting and traffic signage by City of Madison where Meinders Road is intersected. Not to mention ridiculously high weed growth that is not only dangerous for pedestrians and road traffic but is at the very least an eye sore. Someone may be seriously injured or even killed the way traffic is speeding through the unmarked and blind intersections. This is a new development and yet if you looked up the word blight, you might find Owl Creek referenced in photograph.



This development is a complete mess. Just look to the south and you'll find Veridian's final phase of Liberty Place. I am certain this is the standard of which the City of Madison is looking for from a developer. The grounds are well kept, the road work was done timely and neatly and all the street lights work (and this phase began after Owl Creek was completed). Now why wouldn't the same conditions be seen at Owl Creek?

The Nelson brothers sold everyone a bill of goods at the onset of this project and has delivered very little. For instance, do you recall the nice privacy wall they were to install between the McFarland commercial/Madison residential boundary? Not there. Not to mention the sharply increased density of duplex/multi-family units. There remains boundary disputes between the Nelsons and the Petersons. However, after several attempts, we now realize the Nelson's way of conducting business is not to respond to our correspondence, even registered mail.

I realize now that I should have kept you more aware of just what is or rather IS NOT happening with this development.

Parks, Timothy

From: Compton, Judy
Sent: Wednesday, October 01, 2008 10:25 PM
To: Parks, Timothy; Ron Trachtenburg; 'glueckarch@sbcglobal.net'
Cc: Murphy, Brad; Plant, Joel; Noonan, Katherine; Zilavy, Jennifer; Strasburg, Carl; Klubertanz, Jill
Subject: RE: Planning Division report - 5166 Great Gray Drive

Thanks Tim,

I appreciate the attention paid to this development.

I am not comfortable yet that we are going to get compliance, but hope to speak with Mr. Trachtenburg as the Grosso's Council and get an outline of their plan for screening. I would also like to see the building plans. I feel that staff has covered my concerns as to the building aspects, but would like to see the plans to be sure.

I will be requesting that an outside management company be employed as indicated in staff's comments. Ron, we can discuss a time element on this.

With the money recently allotted to Bridge Lakepoint, I feel that we will meet the needs of some of the children in the neighborhood. I am getting calls about children sitting on and playing on construction sites, hurling rocks debris, and insults. Most of the calls are about a concern for the children's safety. I believe there were two emergency calls involving injured children this weekend. Kathy Grosso offered the City one of their vacant units, indicating that they would be willing to take a \$400/month cut in rent to aid in providing a space for social services, along with donating tables and chairs, and perhaps books. That was indeed a generous offer. Ron, do you think that the Grossos would consider donating this amount to the Bridge Lakepoint program while we are getting things under control with the children. I think that we have transportation for the children to the facility, but only for about 14 or 15 of them. I am sure that Bridge Lakepoint could use the financial help as they make a space to serve this neighborhood.

We are moving quicker than I would like. I want to be sure that all issues have been addressed. I believe that even though standard 5 seems to have been addressed, 1 is still questionable, and I am not convinced that 2, 3, and perhaps 4 are not issues as well.

I would appreciate that call Mr. Trachtenburg. You may call me at any of the numbers listed below.

Thanks again Tim, feel free to include this email in the packet.

Judy
 Alder Judy Compton
 City of Madison
 District 16
 Phone: 608-221-2567 (home)
 608-223-6007 (office)
 608-698-2568 (cell)
 email: <jcompton@cityofmadison.com>

From: Parks, Timothy
Sent: Wednesday, October 01, 2008 5:41 PM
To: Ron Trachtenburg; 'glueckarch@sbcglobal.net'; Compton, Judy
Cc: Strasburg, Carl; Murphy, Brad
Subject: Planning Division report - 5166 Great Gray Drive

10/2/2008

7

Parks, Timothy

To: Shay Santos

Subject: RE: Opposition to a conditional use permit

From: Shay Santos [mailto:sksantos@charter.net]

Sent: Thursday, October 02, 2008 9:24 PM

To: Parks, Timothy

Subject: RE: Opposition to a conditional use permit

Tim,

Thank you for the meeting information. I would like to register my **opposition** to the conditional use permit application for 5166 Great Gray Drive - (Conditional use to construct 4-unit town home).

As a condo owner on the corner of Eagle Summit Ct (adjacent to Owl Creek Dr and Great Gray Dr), I've been unhappy with the lack of planning in the current neighborhood development. It says something when the Police Department, City Attorney, and Alderperson, are against a conditional use permit application. As a life long time Madison area resident and person of color, I believe we deserve the right to expect a higher quality of life. The approval of another multi family unit on a busy street corner is the last thing that we need at the current time.

There are numerous neighborhood issues, many of which were illustrated in the Wisconsin State Journal article this morning. My neighbors and I have lived with these issues for over 3 years. I have personally witnesses two physical altercations between residents of the rental units. How the row homes on Great Gray Dr received approval is beyond my comprehension. Neighborhood success is going to take a lot more than a bus line, community park, and block parties. I plan to attend the planning commission meeting on Monday to witness the proceedings.

I am hoping that the City of Madison Planning Commission will consider **denying** the application for 5166 Great Gray Dr.

Sincerely,

Shay Santos
3 Eagle Summit Ct
Madison WI 53718
608.838.1094

Parks, Timothy

From: Jennifer Degenhardt [j_degenhardt@yahoo.com]
Sent: Thursday, October 02, 2008 10:08 PM
To: Parks, Timothy
Subject: Opposition to conditional use permit

I know you received an email from my neighbor Shay Santos. My husband and I live in the condo next door to him and we too would like to register our **opposition** to the conditional use permit application for 5166 Great Gray Drive - (Conditional use to construct 4-unit town home).

As a condo owner on the corner of Eagle Summit Ct (adjacent to Owl Creek Dr and Great Gray Dr), we have been unhappy with the lack of planning and cooperation in the current neighborhood development. The Grosso's and Nelson's have created an environment here that many of us feel are unsafe. It says something when the Police Department, City Attorney, and Alderperson, are against a conditional use permit application. There has been nothing but trouble since those units have been occupied and the opening of the street on Great Gray to Owl Creek has only increased the problems in our neighborhood. The violence, noise, recent attempts to break into peoples homes, etc is unacceptable and building another unit would be the wrong decision. Why add more people to the problem, it is obviously an issue and building another unit will only increase the problems that have been occurring.

There are numerous neighborhood issues, many of which were illustrated in the Wisconsin State Journal article this morning. We have all been living with these issues for over 3 year. I don't know why the city ever approved the row of apartments on Great Gray Dr in the first place. Cleaning up this neighborhood is going to take a lot more than a bus line, community park, and block parties, in fact that may only add to the problems. We plan to attend the planning commission meeting on Monday to witness the proceedings.

We strongly urge that the City of Madison Planning Commission DENIES the application for 5166 Great Gray Dr.

Thank you.