

Firchow, Kevin

From: Schmidt, Chris
Sent: Thursday, March 15, 2012 3:56 PM
To: Alex Saloutos
Cc: Bidar-Sielaff, Shiva; sunset-hills-assn@googlegroups.com; Firchow, Kevin
Subject: RE: Follow-up 3822 Mineral Point Road

Alex,

I was just about to send the reply below and then I saw your follow-up. Since I am a member of Plan Commission I am CC'ing Planning Staff so that this communication can be forwarded to other Plan Commissioners.

The files are here for those following along:

<http://legistar.cityofmadison.com/detailreport/matter.aspx?key=27885>

I made a mistake in the March 1 email when I said the door was on the back, it is located on the side - it was a simple typo but an important difference, thank you for bringing it to my attention.

The proposed PUD zoning text has been provided online (through the link above, which can be found by clicking on the Legislative ID on the Plan Commission agenda, or looking up the number on said agenda). It is contained in the file "Maps&Plans.pdf", starting on page 8. This file also contains the application and the letter of intent - it is basically everything from the applicant, including the letter to Sunset Hills. The Staff Comments are available in "Staff Comments.pdf" at the link above.

I just spoke to Rick Karls from Ascentives to get clarifications on the delivery question. Delivery was discussed at the staff level and you see some reference to it in the staff comments and on the zoning text. This kind of question is often asked at Plan Commission. They expect to see UPS 1-2 times a day (using their standard brown truck that we always see around town) and FedEx 2-3 times per week (again using their local delivery truck). Other carriers are used infrequently, if ever - the language was an attempt to be transparent that on rare occasion someone else might deliver to them. As stated in his letter to Sunset Hills they need semi-trucks (18 wheelers) infrequently, and their intent is to have those offload at a separate location and use smaller vehicles to move the items to this building. That can be added as a condition at Plan Commission if desired. The time spent loading and unloading will be very minimal (comparable to what we see at a residence), and since they are the shorter, local delivery trucks they shouldn't affect the intersection with Mineral Point Rd (Traffic Engineering, being well aware of the concerns about Larkin, did not submit comments about this as they apparently see it to have no impact).

Regarding the followup question of off-street loading - no, the text does not mean that there is no on-street loading. The text means that they don't have to build a loading dock or garage to handle operations and parking that occurs on the property itself.

On the question of process, this is an amendment to a PUD, and not the creation of a new one. I should have been more clear about that on March 1. However the process is basically the same and is outlined in City ordinance and State statute. The formal process begins with an application and staff review. Once it is ready for any applicable commissions (in this case just the Plan Commission, it doesn't change the property enough to require Urban Design Commission review and it isn't a landmark or near one) those public meetings/hearings are set. A notification of the hearing has to be published 2 weeks prior in the newspaper of record, and postcard notices sent to properties within 200 feet of the proposed change (I believe you are outside of the radius). The Plan Commission holds its hearing, deliberates, and takes action. The recommendation goes to the Common Council for another public hearing and final action, barring referral by Plan Commission. In this case, the additional steps were to inform Sunset Village at its neighborhood meeting in February and Sunset Hills through its listserv on March 1 regarding the basics of the proposal. I do not see the traffic on the listserv, so I cannot speak to other communications about this that may have occurred there.

If you have any more questions, please feel free to ask.

thanks,
Chris

From: Alex Saloutos [asaloutos@tds.net]
Sent: Thursday, March 15, 2012 3:20 PM
To: Schmidt, Chris
Cc: Bidar-Sielaff, Shiva; sunset-hills-assn@googlegroups.com
Subject: Follow-up 3822 Mineral Point Road

Chris:

I see the full application and plans and the staff report are available online with the [Plan Commission Agenda](#).

Another clarification that would be helpful to understand about the proposed zoning is where loading and unloading must be done. The letter of intent states, *"Addition of proposed lower level door and adjoining additional sidewalk with ground level entrance from the Larkin Street to facilitate safe and quick package deliveries from UPS, Fed Ex and other carriers."* The staff report states, *"1. That the applicant revises the zoning text per the recommendations of City Zoning (below) and also specifies on in the zoning text that: a) All business, servicing, or processing shall be conducted within completely enclosed buildings except for off-street parking and off-street loading."* Does the proposed zoning text mean that shipping and receiving vehicles (off-street loading) must be done from their parking lot? That would help a lot.

Thanks!

Alex

From: Alex Saloutos [mailto:asaloutos@tds.net]
Sent: Thursday, March 15, 2012 1:25 PM
To: 'Schmidt, Chris'
Cc: 'Bidar-Sielaff, Shiva'; 'sunset-hills-assn@googlegroups.com'
Subject: Support/concerns about rezoning 3822 Mineral Point Road

Chris:

A professional services type business, similar to the previous use, would be great for 3822 Mineral Point Road. The real estate market is tough, so finding a tenant/owner who would enhance the neighborhood would be fantastic.

Regarding the request to rezone this property, your e-mail of March 1 appears to be inconsistent with the letter of intent from the applicant. You wrote: *"Ascentives would like to relocate from Hilddale (they are located in the basement) to this building and add one door at the back."* I take this to mean the north side of the building, which is adjacent to the parking lot. Their letter of intent states, *"Addition of proposed lower level door and adjoining additional sidewalk with ground level entrance from the Larkin Street to facilitate safe and quick package deliveries from UPS, Fed Ex and other carriers."* It appears they want to put a shipping and receiving entrance on Larkin Street. This is a residential street. Larkin Street has heavy cut-through traffic, traffic from the office building at Regent and Larkin and the MSCR building and is a school bus route. Making the turn onto Mineral Point from Larkin and Larkin onto Mineral Point is challenging with the speed and volume of traffic there. Also, this is on a short, but fairly steep slope and during snow it's hard to navigate safely. The addition of freight trucks parked on Larkin, loading and unloading, so close to the intersection with Mineral Point Road is safety concern and, depending on the size and

volume, a quality of life concern. I do support a reasonable number of commercial vehicles of appropriate size parked in the parking lot.

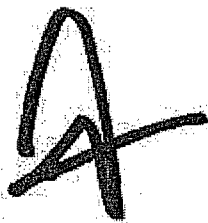
I'm also concerned that the language, "*from UPS, Fed Ex and other carriers*" is vague and provides overly broad latitude. There is virtually no information in their letter of intent or on the Plan Commission agenda regarding the frequency or volume of shipping they'll be doing or the size and number of trucks per day that will be coming and going. It is hard to evaluate this proposed use without more information. How can we get 1) their application (or, is the letter of intent all that is necessary?), 2) the staff report on this application/request and 3) detailed information on the size and number of trucks per day that will be coming and going and where they'll be parking?

Also, since there is NO zoning text for this PUD, it would be logical that creating and approving the text would follow the normal process for creating and approving a PUD, including any neighborhood input. What is that process?

Finally, the proposed zoning text is not available with the Plan Commission agenda for March 19 when the public hearing will be held. How can one get a copy of the actual zoning text prior to the public hearing? It would be helpful if this was published with the Plan Commission agenda.

Thank you for your time and consideration. I look forward to your timely response.

Respectfully,



Alex Saloutos
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Phone: 608/345-9009
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From: sunset-hills-assn@googlegroups.com [mailto:sunset-hills-assn@googlegroups.com] **On Behalf Of** Bidar-Sielaff, Shiva
Sent: Friday, March 02, 2012 7:00 AM
To: sunset-hills-assn@googlegroups.com
Cc: Schmidt, Chris
Subject: FW: [Sunset Hills] 3822 Mineral Point Road -- request to change zoning

Dear neighbors,

Please see reply below from Alder Schmidt.

Best,

Shiva Bidar-Sielaff
District 5 Alder
(608) 220-6986

From: Schmidt, Chris
Sent: Thursday, March 01, 2012 4:04 PM
To: Bidar-Sielaff, Shiva
Subject: RE: [Sunset Hills] 3822 Mineral Point Road -- request to change zoning

Could you send my reply below to the mailing list?

For reasons lost to the mists of time, 3822 Mineral Point Rd, the former Wisconsin Newspaper Association building, is a PUD. It is a PUD without a zoning text, which is rather strange. For that reason alone a zoning change is necessary and would have to happen in order to sell the property (I doubt a bank would grant a mortgage for a PUD without zoning text).

Ascentives would like to relocate from Hilldale (they are located in the basement) to this building and add one door at the back, but otherwise intends to take care of the building and make it their long-term location. They qualify as "manufacturing" because they have two tabletop engraving machines, and that is what led to the discovery that the PUD has no zoning text. So, the zoning change is about as benign as zoning changes get - the new zoning text is to memorialize the current site as it is, and allow for this business to operate there. Had there been a PUD text for this site it probably would have either needed only an administrative action or a conditional use permit to locate there.

A PUD is the best choice in this case because a) it already is one and b) other districts would allow a future owner (presumably 10+ years in the future) to put a different building and potentially more intense uses on the site with at most a conditional use review. When the new zoning code goes into effect this will be classified as a PD (Planned Development, the replacement for PUD).

-Chris

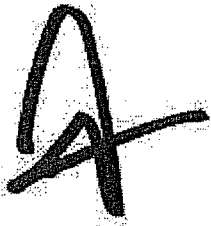
Begin forwarded message:

From: Alex Saloutos <asaloutos@tds.net>
Date: March 1, 2012 3:39:03 PM CST
To: "sunset-hills-assn@googlegroups.com" <sunset-hills-assn@googlegroups.com>
Subject: [Sunset Hills] 3822 Mineral Point Road -- request to change zoning

Friends and neighbors:

It appears Ascentives, a business-to-business promotion company, has filed a letter of intent for changes to the zoning at 3822 Mineral Point Road that will be on the Plan Commission meeting agenda March 19, 2012 (see last page of agenda for upcoming agenda items).

I thought you might be interested in this information.

A handwritten signature in black ink, appearing to be 'A' followed by a stylized flourish.

Alex Saloutos, Realtor
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