

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

**RE: LD. #10643: Zoning Map Amendment LD. 3367 To Rezone 515 S. Midvale Boulevard from PUD-GDP to PUD-SIP**

1. Requested Actions: Approval of a request to rezone 515 S. Midvale Boulevard from Planned Unit Development, General Development Plan (PUD-GDP) to Planned Unit Development, Specific Implementation Plan (PUD-SIP) to allow construction of a four-story building containing 100 apartment units and first floor retail (second phase of the Sequoya Commons development).

Note: The requested action reflects the application submitted. However, the request before the Plan Commission and Common Council will be amended to a rezoning of the site from PUD-SIP to Amended PUD-GDP-SIP to reflect both the current zoning of the site and the proposed changes to the overall development concept that differ from the approved general development plan for the site. If approved, a substitute ordinance will be required.

2. Applicable Regulations: Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.12 (9) provides the process for zoning map amendments.
3. Report Prepared By: Timothy M. Parks, Planner.

**GENERAL INFORMATION**

1. Applicant & Property owner: Midvale Plaza Joint Venture, LLP; 120 E. Lakeside Street; Madison.  
  
Agent: Joe Krupp, Krupp Construction; 2020 Eastwood Drive; Madison.
2. Development Schedule: The applicants wish to commence construction in October 2008, with completion anticipated in March 2010.
3. Location: Approximately 3.6 acres located at the northeastern corner of S. Midvale and Tokay boulevards, Aldermanic District 10; Madison Metropolitan School District.
4. Existing Conditions: The entire 3.6-acre site is zoned PUD-SIP. The northern half of the site is developed with a one-story, approximately 40,000 square-foot multi-tenant commercial building that includes the existing location of the Sequoya Branch of the Madison Public Library. Work on a three- and four-story mixed use building containing 27,578 square feet

of first floor commercial space (including the new Sequoia Branch Library) and 45 residential condominium units is currently finishing on the southern half of the property.

5. Proposed Land Use: The second phase of the planned unit development calls for a three- and four-story building with 10,650 square feet of first floor commercial space and 100 rental apartment units to be constructed on the northern half of the subject site in place of the one-story commercial building, which will be demolished.
6. Surrounding Land Use and Zoning:  
North: Midvale Heights Apartments, zoned R5 (General Residence District); Midvale Elementary School, zoned R1 (Single-Family Residence District);  
South: Midvale Community Lutheran Church, zoned R1;  
East: Single-family residences, zoned R2 (Single-Family Residence District);  
West: Single-family residences, zoned R1.
7. Adopted Land Use Plan: The Comprehensive Plan identifies the subject site and adjacent apartments for neighborhood mixed-use redevelopment.
8. Environmental Corridor Status: The property is not located within a mapped environmental corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

#### **STANDARDS FOR REVIEW**

This application is subject to the Planned Unit Development District standards.

#### **PREVIOUS APPROVAL**

On July 18, 2006, the Common Council approved a request to rezone the subject site from C1 (Limited Commercial District) to PUD-GDP-SIP to allow construction of two mixed residential-commercial buildings containing up to 145 dwelling units, approximately 39,000 square feet of commercial space and approximately 320 structured and surface parking stalls following the demolition of two existing commercial buildings. The PUD was recorded on December 14, 2006.

## **PLAN REVIEW**

Midvale Joint Venture, LLP is requesting approval of final plans for a three- and four-story mixed-use building that will contain 10,650 square feet of first floor commercial space and 100 apartment units above 136 underground parking stalls. The proposed building represents the second phase of the Sequoia Commons Planned Unit Development and will occupy the northern half of a 3.6-acre site generally located at the northeastern corner of S. Midvale Boulevard and Tokay Boulevard. Work on the first phase of the development, which contains a three- and four-story mixed use building that will include 27,578 square feet of first floor commercial space and 45 condominium units, is currently finishing on the southern half of the property. A new Sequoia Branch Library will occupy approximately 20,000 square feet of the first floor space in the Phase I building. Implementation of the second phase of the Sequoia Commons development will result in the demolition of the remaining vestiges of the former Midvale Plaza shopping center that previously occupied the subject site and includes a one-story approximately 40,000 square-foot multi-tenant building that houses the existing Sequoia Branch Library.

[Note: Demolition approvals for the Sequoia Commons project were granted in July 2006 with the original approval of the planned unit development.]

In addition to the subject property's frontage along S. Midvale Boulevard and Tokay Boulevard, the site also includes approximately 600 feet of frontage along Caromar Drive, which is fronted on the east by single-family residences in the R2 residential district. Single-family residences are also located across S. Midvale Boulevard from the site. The northern property abuts a two-story apartment complex, with Midvale Elementary School located further to the north. Midvale Community Lutheran Church occupies the southeastern corner of the intersection opposite the site, which is otherwise surrounded by mostly one-story single-family homes.

The Phase II building will be a U-shaped structure that will surround a central landscaped courtyard. The building will consist of a four-story wing extending along the S. Midvale Boulevard façade that will wrap around the northwest corner and extend along two-thirds of the northern property line before transitioning into a three-story building on the east side of the site adjacent to Caromar Drive. The shape of the Phase II building footprint is consistent with the general development plan for Sequoia Commons approved in 2006. However, the three-story wing adjacent to Caromar Drive represents an appreciable departure from the Phase II building previously approved. In the earlier plan, the developer proposed to construct two stories of residential units adjacent to Caromar Drive, with four stories of residences adjacent to the courtyard and stepped back from the street. The amended planned unit development proposes to eliminate the fourth floor on the east side of the courtyard in favor of a full third floor with units adjacent to Caromar Drive.

The Phase II building will include a 5,335 square-foot first floor commercial space on its southwestern corner and a second first floor commercial space containing 5,315 square feet at the southeastern corner. Access to the two storefronts will face to the south across a 98-stall surface parking lot to be located between the two Sequoia Commons mixed-use buildings. The letter of intent for the second phase includes a request to allow the amount of commercial square footage provided in the Phase II building to be increased up to an additional 3,000 feet if the future tenants for the two first floor commercial spaces require additional floor area. The increased commercial space would be in place of some number of first floor residential units.

The remainder of the Phase II building will consist of 59 one-bedroom and 41 two-bedroom rental apartment units, with public access into the residential portion of the building located in a south-facing lobby at the northern end of the central courtyard. Floorplans for the building indicate that patios or balconies will be provided for each of the 100 residential units. The project will also include a community room for residents on the fourth floor along the northern façade.

Parking for the second phase will include 136 automobile stalls and 45 bike stalls located below the building and courtyard. The developer indicates that approximately 1.4 automobile parking stalls are provided per dwelling unit. The letter of intent also notes that the employees of the first floor commercial spaces may use some of the structured parking during daytime hours. The underground parking will be accessed by a driveway from Caromar Drive located at the northeastern corner of the Phase II building. In addition to the proposed driveway to serve the Phase II building, access to the Sequoia Commons development includes a drive that extends through the parking lot from the intersection of Caromar Drive and S. Owen Drive and intersects S. Midvale Boulevard via a limited median break that permits left turns into the site from southbound Midvale. Access to the underground parking for the Phase I building is provided from Caromar Drive.

## **ANALYSIS**

In general, the Planning Division believes that the amended Sequoia Commons Planned Unit Development can meet the standards for approval for planned unit developments. The amended project generally conforms to the site plan, building scale and massing and uses identified for the second phase at the time the project was first approved, though the developer proposes two significant deviations from the earlier plans that will require careful consideration by the Plan Commission.

### **Building Mass Adjacent to Caromar Drive**

First, the mass of the Phase II building along Caromar Drive will change considerably according to the proposed specific implementation plan. As noted earlier, the second building was approved

in 2006 with four residential stories along the east side of the central courtyard that stepped down to two stories adjacent to Caromar Drive in an effort to reduce the building mass and provide a better transition into the predominantly one-story single-family residential neighborhood to the east. The amended planned unit development, however, calls for the mass of the building to be shifted to create a full third story along the eastern wall of the Phase II building, eliminating the fourth floor and the stepback above the second floor adjacent to Caromar Drive. The developer has indicated that the removal of the stepback will result in a more efficient building due to the elimination of two single-loaded hallways on the third and fourth floors (see the building sections on Sheet A8 for a detail comparing the approved building layout and the layout proposed with this amendment).

The existing approved plans call for the Phase II building to be set back approximately 20 feet from the Caromar Drive property line. Most of the space between the building and sidewalk will be occupied by two terrace walls intended to bridge the grade present in that portion of the 3.6-acre site. In general, there will be a maximum of an 8-foot grade difference between the sidewalk elevation and the first residential floor. The section drawings indicate that the residential floors will be 11 feet in height, with the changes proposed by the applicant resulting in a 33-foot tall building overlooking Caromar Drive in place of the 22-foot tall building previously approved (both exclusive of the up to 8 feet of terracing in the setback). The developer has proposed to increase the setback adjacent to Caromar Drive to 25 feet to offset the third story.

Staff feels it can support the increased mass of the building adjacent to Caromar Drive, although it continues to acknowledge the significant difference in scale between the Sequoya Commons development and the low-rise single-family residences to the east, which has existed since the project was first conceived. The Comprehensive Plan identifies the subject site for neighborhood mixed-use redevelopment, which are generally intended to include neighborhood-serving commercial uses and residential uses up to 40 dwelling units per acre. The scale of buildings in neighborhood mixed-use areas are generally recommended to be between two and four stories in height, though building heights can vary as established in an adopted neighborhood or special area plan.

The Plan Commission and Common Council both determined with the original approval in 2006 that the Sequoya Commons development met the general guidelines for neighborhood mixed-use developments as called for in the Comprehensive Plan. Despite the additional story above what was originally approved along Caromar Drive, the building height proposed for the Phase II building continues to fit within the general height recommendations. The additional five feet of setback along Caromar Drive should somewhat reduce the mass and visual impact of the taller structure while resulting in a scale similar to the easternmost façade of the Phase I building, which is set back 30 feet adjacent to Caromar Drive.

### Location of Underground Parking Driveway

The second issue requiring consideration by the Plan Commission is the location of the driveway to serve the underground parking proposed in Phase II. At the time that the project was approved in 2006, the Plan Commission included a condition noting that the use of Caromar Drive for access to the Phase II building would be delayed until specific implementation plans for the second building were submitted for review. At the time, the developer indicated that access to the underground parking for the second building would be from Caromar if the residential units were owner-occupied and provided elsewhere if the units were rental apartments.

Despite the second phase proceeding as rental apartments, the developer wishes for the parking below the building to have access from Caromar Drive. The developer indicates that the Caromar access will be safer than providing access from a S. Midvale Boulevard driveway, which would have entered the building along the northern wall with a ramp to the street. The developer feels that the Midvale access would discharge the predominantly residential traffic from under the building onto a busy arterial street via a steeper driveway than the Caromar option, which will have a gentler grade and experience significantly less existing street traffic. The developer also feels that a Midvale access, which would be limited to right in-right out turn movements due to the median in the boulevard, would result in potentially unsafe U-turn movements by residents trying to access southbound S. Midvale Boulevard.

A third option has been proposed by Ald. Tim Gruber as a compromise to the driveway location issue, which dominated consideration of the project at the Urban Design Commission. The compromise option calls for a driveway extending the length of the north wall of the building to disperse traffic from the underground parking to both Midvale and Caromar. The developer has indicated that the alder's proposal could be difficult to construct and have negative aesthetic impacts on the project by eliminating most of the approximately 30-foot green setback along the northern edge of the building, including a bioretention area proposed to infiltrate much of the runoff from the building's roofs.

As members of the Plan Commission may recall, the location of the driveway access to serve the Phase II building was a significant issue when the Sequoya Commons project was first considered in 2006. At the time, the Commission and Council deferred making a final decision on the driveway and required that the project provide \$15,000 for traffic calming on Caromar Drive to offset any traffic impacts created by the development. The Plan Commission should give due consideration to the recommendations of the Traffic Engineering Division as well as the input at the public hearing in determining whether the driveway should be directed to S. Midvale Boulevard, Caromar Drive or both, as recommended by the district alder. Staff believes that it may be appropriate for the Plan Commission and Common Council to consider additional traffic

calming measures to safely integrate the final driveway location into the surrounding context with the advice of the Traffic Engineering Division.

Other Considerations: Residential Unit Mix and Inclusionary Zoning

The Plan Commission may also wish to revisit the bedroom mix in the Phase II building. At the time the Sequoya Commons development was first approved in 2006, the Commission included a condition of approval that a "reasonable amount" of three-bedroom units be incorporated into the unit mix for the project. The Commission acknowledged that two-bedroom-plus-den units could be considered three-bedroom units to satisfy the requirement. The developer proposes 41 two-bedroom/ two-bedroom-plus-den units in the Phase II building but has not provided floorplans differentiating which of the two-bedroom units have dens that could be used as three-bedroom units and which could not.

The Sequoya Commons development was approved with a requirement that the second phase of the development comply with inclusionary zoning requirements at the time the project was reviewed. However, since the project was first approved, the State Court of Appeals voided the rental component of the Inclusionary Zoning Ordinance. The City Attorney's Office determined, though, that the inclusionary zoning requirements continue to apply to any projects with rental components approved between the February 2004 effective date of the ordinance and the Court of Appeals decision unless the project is rezoned or a general development plan amended. In this case, the developer is requesting a major alteration to the approved general development plan for this site in regard to the change in massing of the building and resolution of the outstanding issue of access to the Phase II building. It is staff's belief therefore, that inclusionary zoning will not apply to the second phase of the development if the general development plan is amended as proposed.

Urban Design Commission

The Urban Design Commission reviewed the amended planned unit development and granted initial approval on June 18, 2008 (see attached report). In granting initial approval, the UDC forwarded the project to the Plan Commission to resolve the issues of access to the underground parking for the Phase II building with a condition that the project comes back for final approval once the driveway location had been approved.

**CONCLUSION**

The applicant is requesting approval of the final plans for the second phase of the Sequoya Commons Planned Unit Development, which will replace the former Midvale Plaza shopping center with a total of 145 multi-family dwelling units and approximately 39,000 square feet of

commercial space in two buildings. The Phase II building includes 100 of the residential units and two first floor commercial spaces totaling 10,650 square feet. Staff feels that the plans for the second phase generally conform to the plans for this building included with the 2006 general development plan for the overall project in regard to the overall site design, project density, and general scale and massing of the building. However, the developer proposes to revise the massing of the building along Caromar Drive by bringing a full three stories of mass to the eastern wall in place of the more stepped-back approach espoused in the 2006 plans for this building, which staff feels can be supported due to the additional setback being provided. The developer also desires to locate the driveway serving the underground parking for the project from Caromar Drive, which is a more residential street in comparison to S. Midvale Boulevard. The developer does not favor the Midvale option primarily due for safety reasons. In recommending approval of the second building, the Plan Commission will need to address the location of the driveway and may recommend reasonable conditions to ensure that the driveway can be safely integrated into the surrounding context.

### **RECOMMENDATION**

The Planning Division recommends that the Plan Commission forward a **substitute** for Zoning Map Amendment 3367, rezoning 515 S. Midvale Boulevard from Planned Unit Development, Specific Implementation Plan (PUD-SIP) to Amended Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP), to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the project receive final approval from the Urban Design Commission prior to final approval and recording of the amended planned unit development.
3. That the zoning text be revised per Planning Division approval as follows:
  - a.) that the family definition for the Phase II apartments correspond to the R4 district;
  - b.) that signage for the first floor commercial spaces in Phase II is limited to the maximum permitted in the C1 zoning district, that residential signage is limited to the maximum permitted in R4 the zoning district, and that all signage is subject to approval by the Urban Design Commission and Zoning Administrator;
  - c.) that off-street parking and loading be "as shown on the approved plans."
4. That any increase in commercial square footage beyond the 10,650 square feet approved in the Phase II building be approved as a minor alteration to the approved specific implementation plan, up to 3,000 square feet net (13,650 square feet). Approval of any



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minor alteration to increase commercial square footage shall coincide with a corresponding reduction of residential units in the project and shall not result in any increase in building area beyond the approved footprint.

5. That the floorplans for the project be amended to clearly identify each dwelling unit type, including which of the two-bedroom units contain dens that could be occupied as three-bedroom units. A minimum of 20 units shall be three-bedroom or two-bedroom plus den units. The final plans for all dwelling units shall be approved by staff.
6. That final plans for the terracing and landscaping along the Caromar Drive elevation be approved by the Planning Division prior to final approval and recording of the specific implementation plan.

City of Madison, Wisconsin

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**REPORT OF: URBAN DESIGN COMMISSION****PRESENTED:** June 18, 2008**TITLE:** 515 South Midvale Boulevard - PUD-SIP,  
Phase 2, Sequoya Commons, 100  
Apartments and Approximately 10,650  
Square Feet of Retail. 11th Ald. Dist.**REFERRED:****REREFERRED:****REPORTED BACK:****AUTHOR:** Alan J. Martin, Secretary**ADOPTED:****POF:****DATED:** June 18, 2008**ID NUMBER:**

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Members present were: Lou Host-Jablonski, Bonnie Cosgrove, Todd Barnett, Bruce Woods, Richard Wagner, John Harrington, Jay Ferm, Richard Slayton and Marsha Rummel.

**SUMMARY:**

At its meeting of June 18, 2008, the Urban Design Commission **GRANTED INITIAL APPROVAL** for Phase 2 of Sequoya Commons located at 515 South Midvale Boulevard. Appearing on behalf of the project were John Lichtenheld, representing Joe Krupp; and Joe Krupp. Registered in opposition to the project were Ann Strenski, Mike Bell, Bonnie McMullin-Lawton, Karen Matteoni, Paul Cerutti and Jeanne Daniels. Registered as neither in support nor opposition were Chris Schmidt, Ald. Tim Gruber and Brett Darrow. Due to conflicts with another engagement, Ald. Gruber requested to speak on the item prior to the applicant's presentation. Ald. Gruber distributed a memo to the Commission relative to his position on the project. The memo referenced the PUD standards and criteria for approval as the basis for his support for neighborhood residents' desire to maintain the garage entrance on Midvale Boulevard. In addition, Ald. Gruber noted a second option that provides for a compromised position which would place a garage doors on the north end of the building on both Caromar Drive and Midvale Boulevard, which would act to disperse traffic and break up the "super block." The memo further states his recommendation that the Commission grant initial approval of the project with the Plan Commission placing a condition that the garage door entrance to the Phase 2 development be either from Midvale or from both Midvale and Caromar. As a follow-up consideration for final approval, the building elevations will be brought back for Urban Design Commission consideration. Ald. Gruber further noted that traffic generation is a significant issue and emphasized the need to resolve issues without endless referrals. Following Ald. Gruber's testimony, Krupp noted the following:

- The addition of bump-outs adjacent to the crosswalk at Caromar Drive and Owen Drive.
- The alteration of the stair towers' façade to contain a single row of vertically oriented window openings.
- The intent to replace a proposed Honey Locust as the feature tree at the entry to the courtyard for a Kentucky Coffee tree was noted.

Lichtenheld provided an overview of the traffic study and counts based on the as proposed and previously approved conditions, with a cross comparison to the originally existing shopping center. He also provided comparable numbers to the traffic counts within the study relevant to other similar City streets. Lichtenheld noted that peak hour traffic would provide for 60 more trips attributed to this development. He noted the

preference for the location of the garage door on Caromar, where less traffic counts support it logically as a safe alternative to Midvale Boulevard, whereas Midvale Boulevard has great issues, site distance, conflicts with on-street parking, u-turning issues with southbound traffic, including the crossing of two lanes. He further noted that the new median break at Midvale Boulevard which provides for left-hand turn movement in the southbound lane will reduce projected traffic on Caromar Drive. He noted proposed improvements to the pedestrian crossing at Caromar and Owen Drives with bump-outs at the driveway will effectively reduce the width of the street from 24-feet to 20-feet along with the provision of better crosswalk markings and improved signage. Lichtenheld remarked that speed bumps were OK with the Traffic Engineer, but a neighborhood issue. Relative to providing for a 3-way stop at the intersection of Owen and Caromar Drives, Lichtenheld noted that such measures would be ignored, and didn't satisfy conventional traffic engineering standards to warrant or justify the stop signs Krupp spoke to the dual driveway entries suggested by Ald. Gruber citing a 12% grade issue combined with the retaining wall on the adjacent neighboring properties, along with elimination of a greenspace/rain garden, in addition to landscaping adjacent to units along the north elevation. Testimony from the public noted the following issues:

- Need details on handicapped ramp at drive on Caromar and Owen Drives, as well as address of pedestrian/bicycle accessibility issues.
- Maintain position for 30-foot setback on Caromar Drive.
- Prefer driveway access on Midvale Boulevard.
- Need to address what can be done to make the intersection of Caromar and Owen Drives safer.
- Concern that traffic does not support providing both stop signing and a table top at the intersection of Caromar and Owen Drives.
- The traffic study does not effectively deal with the impact of traffic from Queen of Peace School.
- Need to address safety needs for neighborhood with a lot of kids.
- Midvale Boulevard presents vehicular hazards, versus Caromar Drive providing for pedestrian hazards.
- Need a 30-foot setback to match other areas on Caromar.
- Parking drive on Caromar presents issues, priority, problematic, parking and congestion within the area.

Following testimony the Commission noted the following:

- Need consideration for more improvements in conjunction with Traffic Engineering on Midvale Boulevard to resolve issues and provide further discussion.
- Look at locating driveway entry adjacent to the commercial space off of the surface parking drive access at Caromar Drive.
- Difficult issue with expressed neighborhood concerns. 18,000 vehicles on Midvale Boulevard not a safe setting for this issue.
- Stop sign at intersection (Caromar and Owen Drives) with other improvements can be done to make situation safer.
- Traffic needs to maximize effort to make things safer.
- Need to get Traffic Engineering and developer to put in place more safety mechanisms such as stop signs.
- Trying to make the best of a bad situation after the Urban Design Commission provided clear direction with its recommendation for a Midvale Boulevard driveway entry with the approval of the overall PUD-GDP and first phase PUD-SIP.
- As long as parking on Midvale Boulevard exists, situation is not safe, combined with the volume of traffic and other issues.
- Need to make strong statement on the needed safety improvements to direct traffic from schools.
- Traffic counts aren't insurmountable to make things work.

- Original UDC approval not followed through; rental versus condominium development relative to the driveway location as noted by the applicant with the original approval.  
\*The applicant noted as part of the original approval that if rental units were developed with the Phase 2 development a Midvale Boulevard drive location was acceptable but with condominium development, the Caromar Drive location was necessary.
- Need to resolve with Traffic Engineering the driveway entry issue as was previously done with the West Washington hotel project (Hyatt).

### **ACTION:**

On a motion by Wagner, seconded by Ferm, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a vote of (5-3-1) with Wagner, Ferm, Barnett, Woods and Cosgrove voting yes; Rummel, Harrington and Slayton voting no, and Host-Jablonski abstaining. The motion included the requirement that the Plan Commission require that effective measures be taken to improve safety at Owen and Caromar Drives such as a speed bumps on Caromar Drive, the provision of stop signs at all points of the intersection, including provisions for a table top. Wagner noted that holding the location of the driveway to Midvale Boulevard was not fair when others opted for providing options with original approval of the project. Further discussion by the Commisison on the motion noted the following:

- The need to resolve with input from Traffic Engineering and need a strong statement involving the history of prior approvals involving Phase 1.
- Compromise to come up with a better solution.
- The issue with cars coming out of the parking garage, not traffic at the intersection of Owen and Caromar Drives, still requires address.
- Capitulate to the conditions in the Gruber memo but think arterial streets in terms of access not local streets are more appropriate for the driveway (Midvale Boulevard) and not willing to give up on issue.
- Appreciate danger of Midvale Boulevard access but is done currently at a controlled intersection, Tokay and Midvale Boulevards.

With further discussion Wagner noted that the motion should be contingent on address of all stated comments, along with the following:

- UDC recognizes that the Plan Commission gave latitude to developer as to the location of the parking entry on Midvale versus Caromar Drive. The Urban Design Commission's original approval provided for the entry on Midvale Boulevard previously; the Urban Design Commission still feels strongly about its previous recommendation based on the way this project is designed.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 5, 5, 5, 7 and 7.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 515 South Midvale Boulevard

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	-	-	-	-	4	-	-
	-	-	-	-	-	5	-	7
	5	6	-	6	-	5	7	5
	7	7	7	8	-	5	7	7
	4	6	6	-	-	4	6	5
	-	-	-	-	-	-	-	5
	6	6	6	-	-	4	6	5
	4	7	5	-	-	4	6	?

General Comments:

- The issues have been presented on vehicle access, but they are not resolved.
- Traffic Engineering’s active involvement would have moved this project forward faster and more harmoniously between UDC, neighborhood and applicant.
- Traffic Engineering is providing very poor service to the City here, to UDC, the neighborhood and to other staff. The applicant’s stonewalling is not helping much either.
- There are solutions for access to this building but not without willingness for developer to be open to different outcomes – AND – for Traffic Engineering to be CREATIVE. We expect TE to help resolve this and address concerns of neighborhood. Try an entry on Midvale. Crossing Midvale has been done successfully by motorists for DECADES. Developer didn’t even really try to resolve, stonewalling isn’t productive or appreciated.
- Great project other than Caromar entry/exit issue.
- Everything but traffic is good. But much more must be done to make this project work with the neighborhood. Whether it is more traffic calming on Caromar or moving the entrance to Midvale.

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## AGENDA # 3

City of Madison, Wisconsin

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REPORT OF: URBAN DESIGN COMMISSION	<b>PRESENTED:</b> June 4, 2008
TITLE: 515 South Midvale Boulevard – PUD-SIP, Phase 2, Sequoya Commons, 100 Apartments and Approximately 10,650 Square Feet of Retail. 11 <sup>th</sup> Ald. Dist. (10043)	<b>REFERRED:</b> <b>REREFERRED:</b> <b>REPORTED BACK:</b>
AUTHOR: Alan J. Martin, Secretary	<b>ADOPTED:</b> <b>POF:</b>
DATED: June 4, 2008	<b>ID NUMBER:</b>

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Members present were: Lou Host-Jablonski, Jay Ferm, Marsha Rummel, Bruce Woods, Todd Barnett, Richard Slayton and Richard Wagner.

### SUMMARY:

At its meeting of June 4, 2008, the Urban Design Commission **REFERRED** consideration of a PUD-SIP for Phase 2, Sequoya Commons. Appearing on behalf of the project were Bruce Simonson and John Lichtenheld, representing Midvale, LLC; Joe Krupp and Daniel Kahl. Appearing in opposition to the project were Bonnie McMullin-Lawton, Pamela Mather, Anna Strenski and Miriam Levinson. Appearing neither in support nor opposition were Earl H. Reichel, Chris Schmidt, representing Westmoreland Neighborhood Association Planning and Development Committee, Paul Haskew, and Ald. Tim Gruber, representing the 11<sup>th</sup> Aldermanic District. Prior to the presentation staff distributed materials from the Planning Division file relevant to the issue of the proposed location of the residential garage entry on Caromar Drive; where the Commission approved its location on Midvale Boulevard during its deliberation on the first phase PUD-SIP and GDP for Phase 2. The relevant condition provided with Plan Commission and subsequent Common Council adoption of the rezoning states the following: "Approval of the residential garage entrance onto Caromar Drive for the Phase 2 building shall be determined at the time the developer requests Specific Implementation Plan approval for that building." Staff noted that this condition superceded the Commission's approval of the driveway on the Midvale Boulevard elevation of the building but provides for the continued discussion on the issue, as well as its final resolution as part of the consideration for Phase 2. A detailed review of the site plan elements for Phase 2 as it relates to the previously approved Phase 1 of the project followed, including an overview of the various building elevations, site and landscape plan details, including the following:

- Modifications to the landscape plan in regards to proportionally sized landscape plantings and the screening of windows.
- In regards to the setback issue on the three-story façade abutting Caromar Drive has been adjusted to provide for a 25-foot setback with the shifting of the building closer to its Midvale Boulevard frontage.
- The applicant maintained position that the Caromar Drive entry is much safer than the alternative Midvale Boulevard drive entry.
- A modified plant list was provided that coordinates plants, quantities, species and planting types.
- A request to rotate the stair tower elements due to issues with the massing was responded to with the provisions of vertically oriented window openings on stair tower façades.

- The proposed driveway entry off of Caromar Drive features a median island restricting movement to right turn only.
- Relevant to the stair tower blankness, consideration for adjustment and rotation would disrupts units and interior/exterior plans, but added glazing (double roll) where the developer prefers a single vertical row/column.
- The Commission generally noted its favorability toward the single row of windows.
- Lichtenheld provided more details relevant to the discussion on driveway access issue, Midvale Boulevard versus Caromar Drive. He noted that the residential use of the building with access onto the regular street was compatible. The at grade relationship on Caromar Drive was more accommodating for the slope of the driveway, where the slope on Midvale Boulevard would present difficulties.
- Lichtenheld further remarked that a driveway entrance on Midvale Boulevard would be limited to right-turn only for exiting with a u-turning required after crossing two lanes to go southbound on Midvale Boulevard. In addition, coming from northbound, a u-turn would be required to access the Midvale entry, also crossing two lanes.
- A site distance issue with building drive and landscaping's proximity to Midvale in addition to conflicts with on-street parking.

Following the discussion several neighborhood residents spoke, noting the following:

- A better solution for the driveway is Midvale Boulevard. Phase 2 should be setback 30-feet per the previous revision with the PUD-GDP.
- Emphasize the use of native landscaping.
- Access to parking is a self-inflicted dilemma based on maximum density of the project as proposed. The Caromar exit not a good idea, effects neighbors and adjacent two schools and adjacent apartment building.
- Garage entry needs to be on Midvale Boulevard. Need to limit traffic on Caromar Drive.
- Limited visual access on Caromar Drive where along Midvale there is a 300-foot visual corridor.
- Need a full 30-foot setback on Caromar Drive.
- Need to provide more thought as to traffic as it relates to the residential neighborhood.
- A driveway entry off of Caromar Drive will increase volumes of traffic; Midvale Boulevard more appropriate.

Following testimony from area residents, Ald. Tim Gruber spoke on the following:

- Architecture looks great, especially the appearance and amount of glass.
- Need accessible access next to surface parking entry off of Caromar Drive.
- Additional 5-feet for a 25-foot setback at Caromar Drive is an improvement.
- Issue with Caromar Drive versus Midvale Boulevard driveway entry discussion, no perfect solution, prefer double access from both streets, disperses traffic but removes a rain garden.
- Having access internal to the site at existing surface parking entries a problem for retail tenants.
- Ald. Gruber further noted scheduled meetings with Traffic Engineering to discuss the issue was pending where Traffic Engineering would not take a specific position on the issue.

Continued discussion on the project by the Commission was as follows:

- Still an issue with arborvitae screening windows. Need to identify specific type of low growing landscaping.
- In the courtyard green roof, issue with trees at center, not inviting.

- Move Honey Locust as a feature tree at the entry to the courtyard in place for Kentucky Coffee Tree. Don't object to the arrangement of the trees at the center of the courtyard.
- Question availability of current traffic counts on neighborhood streets, as well as for the development as approved with Phase 1 and as proposed with Phase 2.
- Need to evaluate the value of retail having more value than allowing an entry on Caromar Drive.
- Issue with north crosswalk versus south crosswalk at the intersection of Caromar and Owen Drive, neighborhood prefers the utilization of the areas along Caromar south of the crosswalk to allow for safe use for pedestrians, where north of the crosswalk desire a reduction in traffic impacts, in combination with eliminating the proposed Caromar Drive entry and utilizing the existing access approved with Phase 1 on Caromar Drive to the surface parking area.
- Impact of traffic from the proposed Caromar Drive entry to the northerly crosswalk at the intersection of Caromar Drive and Owen Drive a major concern of neighbors.

**ACTION:**

On a substitute motion by Wagner, seconded by Slayton, the Urban Design Commission **REFERRED** consideration of this project to address the above stated concerns and the following:

- Deal with imprecise numbers in traffic counts. Want to see more updated data to provide a basis for determining on the driveway access issue.
- Need more specific traffic analysis data along with the alternatives to what the City might do versus the developer to make the issue more dealable, including providing a list of alternatives that can be utilized on Caromar Drive and Owen Drive and the general vicinity on what can be done to reduce vehicular traffic impacts in the area.
- Ask Traffic to look at issues. Consider stop signs, a traffic table and other amenities to address concerns.
- Relevant to the vertical provision of a vertical row glazing on the stair towers, one instead of two is acceptable.

The motion was passed on a unanimous vote of (7-0).

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5.8, 6, 6, 7 and 7.



URBAN DESIGN COMMISSION PROJECT RATING FOR: 515 South Midvale Boulevard

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	5	6	-	6	-	5	7	5.8
	6	6	6	-	-	5/6	6	6
	-	8	8	7	-	4	7	-
	-	7	-	-	-	5	-	6
	-	-	-	-	-	-	-	7
	5	8	8	7	-	5	8	7

General Comments:

- Consider reducing retail footprint and putting underground parking entry off internal drive aisle. This would resolve many of the perceived/real conflicts with Caromar. Otherwise get more traffic data and ask Traffic Engineering to help with Owen intersection. Like interior courtyard. 25-foot setback from Caromar is an improvement. Overall still needs work.
- Traffic counts need to be updated and expanded. Solve traffic problem on residential streets.
- Access from Caromar will be a neighborhood issue. Must get acceptance from residents.
- Safe pedestrian crossing at Caromar and Owen is paramount. Need better traffic count data to evaluate garage entrance location.
- Still need to resolve the controversial Caromar vehicle entrance, and applicant needs to proactively work with Alder and Traffic Engineering to meet neighbors' concerns.
- Good project once parking entry is resolved.

**AGENDA # 13**

City of Madison, Wisconsin

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REPORT OF: URBAN DESIGN COMMISSION	<b>PRESENTED:</b> April 23, 2008
TITLE: 515 South Midvale Boulevard - PUD-SIP, Phase 2, Sequoya Commons, 99 Residential Units. 11th Ald. Dist. (10043)	<b>REFERRED:</b> <b>REREFERRED:</b> <b>REPORTED BACK:</b>
AUTHOR: Alan J. Martin, Secretary	<b>ADOPTED:</b> <b>POF:</b>
DATED: April 23, 2008	<b>ID NUMBER:</b>

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Members present were: Lou Host-Jablonski, Marsha Rummel, Bonnie Cosgrove, John Harrington, Todd Barnett, Richard Slayton and Richard Wagner.

**SUMMARY:**

At its meeting of April 23, 2008, the Urban Design Commission **REFERRED** consideration of this item. Appearing on behalf of the project were Bruce Simonson, representing Midvale Joint Venture, LLC. Appearing in opposition was Bonnie McMullin-Lawton. Appearing neither in support nor opposition were Anna Strenski, Brett Darrow, and Chris Schmidt, representing Westmoreland Neighborhood Association. The project under consideration provides for the development of "Sequoya Commons – Phase II." The overall PUD-GDP for the redevelopment of the former "Midvale Plaza" envisions the creation of 99 residential units as part of the Phase II development. The PUD-GDP and First Phase PUD-SIP provided for the development of a new Sequoya Branch Library, 7,000 square feet of grade level retail/commercial space, in combination with 45 residential condominium units. The plans as submitted provide for the development of 100 units of rental housing with the reconfiguration of portions of the building as approved under the PUD-GDP, in combination with the development of 10,000 square feet of grade level retail/commercial space. The plans as presented provided for the following:

- A change in access to lower level parking from Midvale Boulevard to Caromar Drive, featuring a mix of one and two-bedroom units of rental housing.
- The center courtyard features a covered hydrotech green roof overlying lower level parking.
- The 10,000 square feet of commercial/retail space faces the shared parking area with Phase I and provides for the flexibility for an additional 3,000 square feet of retail/commercial space.
- At Caromar Drive the building was originally proposed for two stories with an additional two stories at a building stepback has now been modified to feature a straight three stories with removal of the fourth story, combined with addition of a walkway provided off of Caromar Street to the front of the Phase I building (parking lot side).
- The change in access from Midvale to Caromar was noted as a response to a 6-foot drop grade issue, in combination to limits to the northbound access on Midvale.

Following the presentation testimony from members of the public was as noted:

- Concern with garage entry change, should be on Midvale.

- Need to limit traffic on Caromar for seniors and children due to proximity of dangerous curve on Caromar Drive.
- Concern with the reconfigured building's closeness to the sidewalk now proposed at less than 21-feet, previously 30-feet in the originally approved PUD-GDP.
- The revised three-story version reflects a loss of the setback, concern with not enough parking for Phase II, as well as already approved Phase I.
- Garage entry from Midvale not consistent with UDC's recommendation to locate it on Caromar. If approved, will force traffic to use Caromar Drive as an alternative and will require the need for hardscape improvements to discourage and prevent left turns into the neighborhood.
- In favor of maintaining the previous version of the building featuring a setback along Caromar.
- Support a 30-foot setback with a 3-stories abutting to Caromar Drive.
- Problem with relocation of parking entrance on Caromar, traffic conflicts.
- Concern with overflow parking for the development on Caromar Drive, already exists with construction parking.

Following testimony by the public, the Commission noted the following:

- Although this project provides for the development of Phase II, don't know what Phase I looks like and how it relates to Phase II, need more context.
- Concern with entry on Caromar; want to see response to neighborhood concerns.
- The neighborhood suffers; places burden on neighborhood with location on Caromar Drive.
- Surprised the Urban Design Commission's original motion was changed by subsequent action of the Plan Commission and Common Council; agree with other Commissioners on the driveway issue.
- In terms of setback, OK with original project or as proposed to be modified; respect neighborhood request to pull back to match existing rhythm of the street along Caromar Drive.
- Massing of stair tower on Midvale Boulevard is too much, rotate so as tail of stairs sticks out; allowing more windows on adjacent façade.
- Issue with signage on stair tower on Midvale Boulevard for commercial/retail tenant; not on Midvale Boulevard but off of Caromar Drive.
- Need to see other options to get to underground lower level parking aside from relocating the drive to Midvale Boulevard; look at reconfiguring the adjacent surface parking lot.

#### **ACTION:**

On a motion by Rummel, seconded by Wagner, the Urban Design Commission **REFERRED** this item. The motion was passed on a unanimous vote of (7-0). The motion required address of the above stated concerns and:

- Address the massing and signage issues associated with the stair tower, such as consider rotating it to minimize its width parallel to the street, break up its blank façade with fenestration, and minimize its use for signage especially off of Caromar Drive.
- Address issues with the screening of windows with disproportionately sized landscape elements such as arborvitae and juniper.
- Address the setback issues relevant to the proposed 3-story version abutting Caromar Drive. If three stories is to be provided, setback is to be maintained as originally proposed.
- Look at alternatives to providing driveway entry in the modified location off of Caromar Drive. Investigate the feasibility of other potential driveway entries including on Midvale Boulevard as originally proposed, as well as from the shared surface parking lot abutting the building.

- Provide context as to project's location in the neighborhood across the street utilizing photographs, aeriels and other resources.
- Provide a plant list which corresponds/coordinates plant quantities and species and planting types.
- Staff is to provide details of the overall PUD-GDP and PUD-SIP established as part of the record of approval process and recorded with further consideration by the Urban Design Commission, especially any previous or current written comments by the Traffic Engineer regarding the driveway access issue.
- Relative to the landscape plan the quantity on the plan doesn't match the species list, plant types don't match use areas. Consider alternatives to the use of arborvitae in front of windows as well as the use of oak, juniper based on issues with their size and proposed location of use.
- Consider moving building to provide building setback on Caromar consistent with adjacent building setbacks.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 5, 5, 5, 6 and 6.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 515 South Midvale Boulevard

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	5	6	5	-	-	4	6	5
	-	-	-	-	-	-	-	5
	5	6	5	5	-	5	7	6
	-	6	-	-	-	4	5.5	5
	4	7	5	-	-	4	6	6
	5	7	6	-	-	5	6	5

General Comments:

- Address stair tower, setback from Caromar if 3-story building is pursued. Like courtyard design and “hydrotech” spill. Reconsider driveway entrance. Next time bring site map with street connections. Address plant list.
- Basic thinking of this building and site, and traffic circulation needs reconsideration.
- More attention to neighborhood concerns by developer are needed.
- Rotate stair towers; move drive back to Midvale.
- Really nice design generally. Needs to step back from Caromar more if 3 stories along the street. Please consider options for access to parking that affects neighbors less.



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. Dailey, 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: June 23, 2008  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer  
SUBJECT: 515 South Midvale Boulevard Rezoning

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. Submit a PDF of complete floor plans to the Lori Zenchenko (Lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed for both the residential and retail units. 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.
2. Any damage to pavement on Caromar Drive will require restoration in accordance with City's Patching Criteria.
3. Utility Plan (C5) shows 12-inch storm and 24-inch storm under proposed structures. Provide detail showing elevations, depths, clearances, etc.
4. Existing sanitary sewer on Caromar Drive labeled as PVC when it is actually vitrified clay pipe.

**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: 515 South Midvale Boulevard Rezoning

**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

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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.
- 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](mailto: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 Marshall.
- 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 the \_\_\_\_\_ Impact Fee District for Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ Plat/CSM. The current rate is \$ \_\_\_\_\_ /1000SF for a total of \$ \_\_\_\_\_. The Developer shall select one of the following two options for payment of these fees:
  - 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 have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. 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](mailto: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:

**ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).**

#### 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.

- 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:
- 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.
  - 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.)
  - 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.
  - 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.
  - 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:
- 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.
  - 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.)
  - 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.
  - 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.
  - 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:
- 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.
  - 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.)
  - 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.
  - 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:
- 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.
  - 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.)
  - 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.
  - 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.
  - 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

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- 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 Statutes and Section 4.09 of the MGO.
- 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 -

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### 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](mailto: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

June 26, 2008

TO: Plan Commission

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

SUBJECT: **515 South Midvale Blvd. – Rezoning – PUD (GDP) to PUD (SIP) – Mixed-Use Building with 100 Apartment Use**

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. The applicant shall eliminate the most northerly approach Caromar Drive for the 10 ft by 35 ft loading area. The loading area does not seem to service any function. The trash service is through the garage. The site is service by three service 10 by 35 surface loading zones.
2. The applicant shall demonstrate the impact of headlights with the ramp and turning vehicles onto Caromar Drive on the residential homes across the street to the Plan Commission. The applicant shall show the houses, windows, landscaping, and driveway approaches, across Caromar Drive. The Plan Commission may consider additional screening on the properties across the street.

### PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

3. None

### GENERAL OR STANDARD REVIEW COMMENTS

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

4. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.

5. The ramp down to the underground parking shall be designed to accommodate low-clearance vehicles for a transition. The ramp breakover angle (limited by vehicle wheel-base and ground clearance) and angles of approach (affected by front overhang of vehicles) and departure (affected by rear overhang) are critical vehicle clearance points. Standards established by the Society of Automotive Engineers limit the ramp breakover angle to no less than 10 degrees; angle of departure, no less than 10 degrees; and angle of approach, no less than 15 degrees. The applicant shall provide a profile of the ramp showing the slopes critical clearance, when plans are submitted for approval. The ramp down to underground parking percent of sloped shall be designed to accommodate low-clearance vehicles for a transition. The applicant shall provide a profile of the ramp showing the slopes critical clearance, when plans are submitted for approval.
6. "Stop" and "No Left Turns" signs shall be installed at a height of six (6) feet to the bottom of the first sign at the driveway approach to Midvale Blvd. and a "Stop" sign shall be installed at a height of seven (7) feet at all driveway approaches. 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.
7. The applicant shall design the surface or underground 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. The "One Size Fits All" stall shall be used for the residential parking area only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
8. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
9. 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: Joe Krupp  
Fax: 608-249-2053  
Email: [jkrupp@kruppconstruction.com](mailto:jkrupp@kruppconstruction.com)

DCD: DJM: dm

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Department of Public Works  
**Parks Division**

City-County Building, Room 104  
210 Martin Luther King, Jr. Boulevard  
P.O. Box 2987  
Madison, Wisconsin 53701-2987  
PH: 608 266 4711  
TTY/Textnet: 866 704 2315  
FAX: 608 267 1162

July 1, 2008

TO: Plan Commission  
FROM: Simon Widstrand, Parks Development Manager  
SUBJECT: **515 South Midvale**

S.W.

- 1. The developer shall pay \$189,145.00 for park dedication and development fees.**
- 2. The developer shall select a payment method for park fees prior to SIP signoff.**

Calculation of fees in lieu of dedication plus park development fees for 100 units:

Park dedication = 100 multifamily @ 700 square feet/unit = 70,000 square feet. The developer shall pay a fee in lieu of dedication based on the land value of the square footage of parkland required (up to a maximum of \$1.91 / square foot). **Estimated fee is \$133,700.00**

**Park Development Fees = (100 @ \$554.45) = \$ 55,445.00**

**TOTAL PARK FEES = \$189,145.00**

There are no features of this development that qualify as a credit for reduction of park development fees.

Approval of plans for 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.

Please contact Simon Widstrand at 266-4714 or [swidstrand@cityofmadison.com](mailto:swidstrand@cityofmadison.com) if you have questions regarding the above items.

**PARK FEES**

Parkland Impact Fees and Park Development Impact Fees shall be paid for this project. Payment checks shall be payable to the City of Madison Treasurer. All questions, payments and deliveries shall be made to the office of the Madison Parks Division. Prior to City signoff on this project, the developer shall select one of the following options for paying these fees:

1. Payment of all fees in a lump sum prior to City signoff on the project.

2. When fees exceed \$20,000, the developer may pay half the fees and provide a two-year letter of credit at no interest for the remaining half of the fees, both prior to City signoff.

3. When fees exceed \$50,000 for plats being built with phased subdivision improvement contracts, the developer may pay the fees due for the number of units in each contract phase, paid at the time of contract execution, and at the fee rates then in effect. Under this option, the fees shall be calculated and prorated to each lot on the development, and the developer shall record a notice of the outstanding impact fees for each lot prior to receiving City signoff for the project.

4. The Developer has elected to defer the payments until such time as the building permits are applied for, with fees due and payable at the time building permits are issued. 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 be transmitted to Janet Dailey by e-mail at [Jdailey@cityofmadison.com](mailto: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.
- d) 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.**



**Parks, Timothy**

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**To:** Murphy, Brad**Subject:** RE: Meetings Concerning Sequoia Commons

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**From:** Karen Matteoni [mailto:karenahome@gmail.com]**Sent:** Monday, June 30, 2008 3:05 PM**To:** Rummel, Marsha**Cc:** mimi.levinson@gmail.com; pkmath@mymailstation.com; kakaczma@wisc.edu; katndav@tds.net; kristindavis@wisc.edu; friedow@sbcglobal.net; lorwyn@chorus.net; deniselamb@sbcglobal.net; dthelen@sbcglobal.net; tagatz@charter.net; mike@michaelmbell.net; Haskew, Paul; clovelil@sbcglobal.net; jillpl@mcpsd.k12.wi.us; bretttdarrow@gmail.com; goodski3@sbcglobal.net; paul\_matteoni@hotmail.com**Subject:** Meetings Concerning Sequoia Commons

Dear Marsha,

Thank you for everything you have done over the years for our neighborhoods and for the City of Madison. We are so fortunate to have you as our alder representing the Marquette neighborhood.

I am very concerned about the Sequoia Commons project. When I was on the board of the Marquette Neighborhood Association, we met with many developers. Nearly all of the developers in the Marquette Neighborhood were willing to work with the community to build condominiums and rental units that will meet the needs of the community, current residents and prospective buyers and renters now and in the future.

In the meetings about the Sequoia Commons project, I have been shocked by the way that Joe Krupp has responded to concerns of residents of our City. Your questions about other options Krupp has explored concerning the traffic flow revealed that he has not seriously considered any other alternatives. I appreciated Lou Host Jablonski's comment about building for the future not just today.

After the meeting, several community members were talking in the hallway. Joe Krupp talked with us about the project and answered some questions. Although I was not taking notes during the conversation, I am summarizing the discussion to the best of my recollection.

**Krupp is very concerned about the finances for both phases of the Sequoia Commons project. I asked about the difference in costs between having an entrance on Midvale rather than on Caromar. Mr. Krupp said that he never agreed to put the entrance on Midvale but was "forced" into it. Mr. Krupp was reluctant to provide an estimate of the difference in costs. I asked for a ball park estimate. Mr. Krupp said "Fifty thousand dollars." Krupp does not want to pay the difference because he is concerned about his ability to market the rental units with increased costs. He also was concerned that prospective residents would prefer an entrance on Caromar rather than on Midvale due to safety.**

**Krupp would have liked to sell all the units in both phases of the project as condominium units but he has only sold nine condominium units in the first phase so the units in the second phase will have to be rental units. I asked if perhaps in these market conditions that the second phase of the project should be put on hold like the Union Corners. Krupp said that he will not be able to sell the condominium units in the first phase unless prospective buyers know that the second phase of the project will be built.**

**One neighborhood resident asked Krupp if he has considered if the area could be made into a**

**park. Mr. Krupp said that would not be possible because the neighborhood has many parks and the City would not be willing to purchase the land.** The resident asked how much money would it take. Mr. Krupp told the resident not to ask unless he has the money to pay for the land. However, Mr. Krupp later stated that it would cost four million dollars.

**Neighborhood residents expressed concern that stop signs and speed bumps will not solve the basic problems of safety due to increased traffic into the neighborhood. We are concerned that the limited parking for his project will result in people parking their cars to go to the expanded library. I asked Mr. Krupp if he has talked to the City about the parking problems that we have already encountered. Mr. Krupp said "That's the City's problem. I sold the library to them."**

**Neighborhood residents indicated that we need to work together if the project will be built.**

After the meeting and the discussion afterwards, I compared this experience to the experience I have had with other developers. One project which was recently completed in Monona has kept neighborhoods and individual neighbors informed of their progress and has welcomed them to events and discussions. I was invited to an open house last week. I hope that we do not need to move my parents from a home that they love. However, since my parents are having trouble with parking issues, I attended the open house. Neighbors and residents were very excited about the project. Some had purchased units and others were seriously considering the purchase. Mr. Krupp's inability to sell his condominium units may be related in part to the way that he has worked with the neighborhood and prospective buyers of his units.

**I received the Notice of Public Hearing about the Plan Commission meeting. I doubt that we will be back by 6:00 p.m. on July 7, 2008. I hope that you can forward my comments to the Plan Commission.** I am leading a kayak camping trip to the Apostle Islands from July 3-7, 2008. On July 7th we will need to break camp, paddle to the mainland and drive six hours.

I trust that you and others will continue to work on increasing density in our City in a way that works in the interests of the entire community and our City.

Sincerely,  
Karen Matteoni  
1710 Yahara Place Park  
Madison, Wi. 53704  
242-1549

Property owner of  
4313 S. Owen Drive  
Madison, W.