

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT  
Of August 6, 2007**

**RE: I.D. # 06959, Zoning Map Amendment I.D. 3279 To Rezone – 821 S. Gammon Road from A (Agriculture) to C1 Limited Commercial District, Conditional Use Permit for a Drive-Up, and Demolition Permit**

1. Requested Actions: 1) Approval to rezone a property from A- Agriculture District to C1-Limited Commercial District; 2) approval of a conditional use permit for a drive-up window; and 3) approval of a demolition permit for the existing home to accommodate a new mixed-use building.
2. Applicable Regulations: Section 28.12 (10) provides the process for zoning map amendments. Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Kevin Firchow, AICP, Planner, and other Planning Division Staff

**GENERAL INFORMATION**

1. Applicant: Rich Klinke, SJR Enterprises LLC, 4518 Monona Drive; Madison, WI 53716.  
Agent: John J. Bieno, TKJ Design Build; 634 West Main Street; Madison, WI 53703.  
Property Owner: Tony Nicholson; 6329 Hubbard Avenue, Middleton, WI 53562
2. Development Schedule: The applicant wishes to proceed in September 2007 with an anticipated completion date of February 2008.
3. Location: Approximately 0.609 acres located at the northeast corner of Schroeder Road and Gammon Roads; Aldermanic District 1; Madison Metropolitan School District.
4. Existing Conditions: The site currently contains a two-story single-family residence with two accessory structures used for storage. The building is currently a rental property.
5. Proposed Land Use: Upon demolition, the applicant wishes to create an 8,000 square foot multi-unit mixed-use project. The project would be a two-story building with retail on the ground floor and office space above. The applicant requests inclusion of a drive-through along the north side of the building.

6. Surrounding Land Use and Zoning:

North & East: 6800 Schroeder Road, 12 building, 340-unit apartment complex, zoned PUD-SIP

South: 901 S. Gammon Road, Gas station and convenience store, zoned C-1

West: 802 S. Gammon Road, Condominium Development, zoned PDC-SIP

7. Adopted Land Use Plan: The Comprehensive Plan designates this site for MDR-Medium Density Residential uses. The site is also designated as conceptual location for Transit Oriented Development (see additional discussion in the Analysis section below).

8. Environmental Corridor Status: The subject site is not located in 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 standards for zoning map amendments and demolitions.

**ANALYSIS AND EVALUATION**

Project Description

The applicant requests three approvals. The first request is for a zoning map amendment to change the property from A- Agriculture District to C1 Limited Commercial District to allow replacement of the existing house with an 8,000 square foot retail-office project. The property was assigned its current temporary zoning when it was annexed to the City in 1972. This request is subject to Section 28.12 (10) of the zoning code, which provides the process for zoning map amendments. The second request is for a permit to demolish the existing residential home and accessory structures currently on site. This request is subject to the demolition standards of Section 28.04 (22). The third request is for a conditional use permit to operate a drive-up window on site. This request is subject to the conditional use standards of Section 28.12 (11).

The proposed commercial development is a nominal two-story, 8,000 square foot building with part of the building a full two-stories in height, and part of the building consisting of an extra-tall single story. The project features retail uses on the 6,000 square foot ground floor and office space on the 2,000 square foot true second story portion. The project would house a "Klinke Cleaners" dry cleaning facility in about 1,879 square feet, and have additional retail and office tenant space in the balance of the structure. The applicant states that first floor retailers are

intended to be small and neighborhood serving, but tenants for the additional retail and office space have not been identified. The Klinke Cleaner hours have been identified as 7 AM to 7 PM Monday through Friday, and 8 AM to 5:00 PM on Saturday. The business would be closed on Sunday. Hours for the remaining tenants are unknown at this time.

The proposed building is designed with four complementary facades. The "front" of the building will be its eastern side, facing the parking lot. Five entrances are shown on this elevation. The rear, western, elevation faces Gammon Road and is designed to also appear as a "front" elevation and includes three entrances and business signage areas. The northern elevation includes a drive-up drop-off window and is primarily masonry block and brick veneer. The southern, Schroeder Road, elevation has been improved since the initial review by the Urban Design Commission and now includes windows on both the first and second floors. Each elevation includes a masonry block base, brick veneer, and cedar siding. Fenestration of the building appears to exceed 50 percent of the first floor wall area on the eastern, southern, and western elevations. Fabric awnings are proposed along the second story windows.

The building is placed relatively close to Gammon Road. A landscaped patio area is proposed between the building edge and the sidewalk. This area also includes a designated location for a Metro transit stop. The site plan shows one access drive on Gammon Road and one on Schroeder Road. The proposed drive-up entrance would be on Gammon Road. The submitted plans show 23 parking stalls on the site. The proposed parking is compliant with zoning standards.

The neighboring northern residential structure is approximately 70 feet from the proposed building and 47 feet from the property line, and limited lighting of the Gammon Road driveway is proposed. Revised lighting plans have been submitted per a request by the Urban Design Commission. A drive-through/drop off window is proposed along that wall. With this application, there is no indication that there will be any amplified speaker system associated with the drive window..

The proposed landscape plan shows that a small lawn or perennial bed will be located along the patio on Gammon Road. A rain garden will be located along the same frontage. Parking lot screening on the east side of the building will be provided by several trees including five multi-stem service berry trees, an elm, and a maple. Building screening on the northern side of the property is limited to one maple and existing vegetation on the adjacent property. Landscaping along the parking lot frontage of the building includes seven yews.

#### Consistency with the Comprehensive Plan

The primary designation for this site in the City of Madison Comprehensive Plan is MDR-Medium Density Residential. The site is part of a larger MDR area that also includes existing multi-family developments on surrounding properties. A small area opposite this site on the

south side of Schroeder Road is designated NMU- Neighborhood Mixed Use. The MDR designation recommends a residential density range of 16-40 units per acre and a variety of housing types. While primarily a residential designation, a limited amount of other uses may be expected within Medium Density Residential areas, such as neighborhood-serving retail, service uses, and small offices, especially in mixed-use buildings. The Comprehensive Plan recommends that specific locations for non-residential support uses within Medium Density Residential districts, as well as more-detailed planning or design standards, should be identified in adopted neighborhood or special area plans.

The second designation on this property is TOD- Transit-Oriented Development. This designation is an "overlay", meant to provide additional, more-specific land use and design standards. The Comprehensive Plan characterizes a TOD as a compact, mixed-use development pattern that focuses the highest development densities and intensities in close proximity to high-capacity transit stops. Further, the plan recommends special attention be given to architectural and site design in TODs to achieve development patterns that encourage the use of transit. Adopted policies related to Transit-Oriented Developments encourage a mix of residential, civic, retail, and office uses. Policy also encourages Transit-Oriented Developments to have buildings oriented toward the street with minimal or no setbacks from the sidewalk, depending on the established development pattern in the area and the level of "urbanism" desired at the site. Specific design standards applicable to this development include the following:

- Place buildings so they create a sense of street spatial enclosure.
- Include uses that generate pedestrian activity; retail shops, services and offices, particularly at the ground-floor level.
- Create both vertical and horizontal mixed-use development patterns.

The TOD designation is contextual, and the uses, intensity and scale of development that would be considered appropriate will greatly depend on the size of the site and the uses, scale, and intensity of existing and planned development in the surrounding neighborhood.

In early meetings the applicant was advised that support from surrounding residents would be very important. In light of the Comprehensive Plan recommendations, a small mixed-use neighborhood convenience center such as currently proposed might be consistent with broad Medium Density Residential recommendation in the Comprehensive Plan. However, there is at present no neighborhood plan or other adopted plan that indicates the subject site should be recommended for non-residential uses. In the absence of a supporting neighborhood plan recommendation, the specific submitted plans become the most important element in the evaluation of how it fits in the existing neighborhood.

The proposed use of the site could be considered consistent with the concepts of Transit-Oriented Development, which seek to create mixed-use activity centers in areas surrounded by a fairly high density of residential dwellings. The TOD designation applies to the Gammon/Schroeder

intersection generally, rather than to the subject parcel specifically, and could also encompass the designated "Neighborhood Mixed-Use" parcels on the south side of Schroeder Road which currently include a gasoline service station /convenience store and gym on the south side of Schroeder Road. While the addition of 8,000 square feet of retail and office use may not create an intense transit oriented center, the addition of this building is generally consistent with the goals and policies encouraging this development type in this general location, although it still is recommended that non-residential uses should be at locations identified in more-detailed plans.

The revised project plan incorporates many of the Comprehensive Plan's design and form recommendations for Transit-Oriented Developments. While providing a mix of smaller retail and office uses, there is no residential component to the project, and it has to be viewed primarily as a convenience commercial development. With future tenants unspecified, the extent to which the businesses might provide desired goods and services primarily to residents of the adjacent neighborhoods is also unknown. The form of the proposed development is urban in nature, meeting many of the design guidelines in the Plan. The proposed building is pulled close to Gammon Road with a setback of 18 feet and includes a landscaped patio that can serve as a location to access transit. While this urban form is generally encouraged in the Comprehensive Plan, the guidelines for Transit-Oriented Development allow some flexibility to ensure the site is not in conflict with its surroundings. The surrounding properties and neighborhood include a range of styles and varied setbacks and are arguably more suburban than urban in character, but staff does not believe this project to be visually inconsistent with the bordering apartment building, which has a Gammon Road setback of 30 feet.

#### Urban Design Commission Recommendation

This project is within the Urban Design District Number 2, and, therefore, requires Urban Design Commission approval. The proposed project received initial Urban Design Commission approval on July 11, 2007, and final approval on July 25, 2007. A copy of those reports is attached. In their findings, the Urban Design Commission noted that they believed the development to be consistent with the Comprehensive Plan. Additionally, the UDC noted that the revised submittal was improved from the initial version. Improvements included the addition of a parking lot landscape island, improved on-site stormwater infiltration, and additional design detail on the building's Schroeder Road facade.

#### Other Review Standards-Potential Impacts on Surrounding Properties

In evaluating the appropriateness of the proposed use and development at this location an important consideration is the potential impact of the structures and activity associated with the use on surrounding properties—and particularly on the adjacent residential apartments. As noted above, the proposed building is placed relatively close to Gammon Road, with the parking area located "behind" the building (although that side will have the primary entrances to the

commercial spaces) and accessed via driveways onto Gammon and onto Schroeder Roads. This has the advantage of placing the building mass relatively farther away from the nearby apartments. In contrast to the proposed site plan, a more-typical suburban development would place the building to the rear of the site (away from Gammon Road and closed to the adjacent apartments) and have the parking area along the Gammon Road street frontage. The trade-off with the proposed development form is that it places the parking lot for the commercial uses immediately adjacent to the residential properties to the east. A screening fence and landscaping are required along this property line. Some residents have expressed concern that noise and light from the stores' customers and others congregating in the parking lot has a much greater likelihood of negatively impacting adjacent residential uses than would locating the building relatively near the property line and having the parking out by the street. With adequate landscaping and screening, staff prefer the current building placement over the alternative.

Other Review Standards-Potential to Negatively Affect Public Safety

Concerns regarding the location of the parking area are also related to the broader neighborhood concerns regarding crime and neighborhood safety. These are important issues in this neighborhood, and apparently noise and potential criminal activities engaged in by persons gathering in commercial parking lots, both during and after business hours, is considered a real problem. Planning staff does not believe that a mixed-use or small commercial and office development would necessarily result in unacceptable behavior or have a negative impact on neighborhood safety if the property is managed properly. Planning staff view the proposed owner to be very responsible property managers given other property they successfully manage in the City. The permitted commercial uses within the C1 district are by design intended to be compatible with nearby residential development and provide goods and services to serve neighborhood customers, but future tenant selection and building management will be very important considerations in preventing undesirable impacts and promoting neighborhood safety, particularly in a neighborhood currently facing challenges regarding these issues.

Physical site and building design can have an impact on neighborhood safety, and a common benchmark used in considering design is CPTED, Crime Prevention Through Environmental Design standards. These standards are intended to create spaces that do not provide suitable locations for crime including:

- Natural Surveillance: Keep areas within view to decrease the opportunity for crime.
- Natural Access Control: Direct the flow of site visitors to designated areas.
- Territorial Reinforcement: Use design features to clearly separate public from private spaces.
- Maintenance: Eliminate site nuisances that indicate neglect that may breed more crime.

One of the most important considerations is whether or not the proposed site plan creates areas that are conducive to crime. Of concern would be areas with limited visibility from the subject

site, street, and surrounding properties. The proposed mix of uses provides a variety of activities on the site during daytime business hours that can help provide public visibility and legitimate activity that will help limit opportunities for illegal behavior (although as noted above, these legitimate activities may also generate excessive noise from car doors slamming, radios, loud voices late at night, etc.). The sense of visibility is aided by a building design that includes several windows that can provide "eyes" on the street and parking areas. The proposed mixed-use building, however, does not include a residential component or other uses that would typically be utilized after "normal" business hours. Therefore, any non-business hour visibility and "surveillance" will need to come from Gammon / Schroeder Roads and what can be observed from nearby residences or be provided by hired security.

In considering whether this proposed project might create areas conducive to crime, Planning Division staff also compared the proposed plan with a "typical" conceptual suburban development site plan. As described above, a typical suburban development would locate the parking area on the street frontage and place the building farther back on the lot. Such an arrangement clearly would create more parking lot visibility from Schroeder and Gammon Roads; however, this arrangement cuts off visibility from some adjoining properties. Under C1 zoning yard requirements, any building at the rear of the site would have to match the adjacent residential side-yard setback of 30 feet. This would create roughly 60 feet of open space between buildings, and C1 zoning requirements would also require screening of six (6) to eight (8) feet in height on the subject property. A 30-foot screened area on the subject property with very limited visibility could conceivably be available as a gathering spot for potential illegal activities, in comparison to the proposed layout which provides approximately 80 feet between the buildings and would have some lighting (for the parking lot) and better visibility from the Schroeder Road driveway. Staff cannot conclude that one arrangement necessarily creates a greater potential threat to public safety than the other, since in a "bad" environment; any less-visible gathering spot has that potential.

#### Proposed Demolition

If the rezoning to allow this proposed commercial development is approved, the applicant requests approval of a demolition permit to raze the existing house and associated accessory garages and storage buildings. The residential structure was constructed in 1923 as a four-bedroom home of nearly 1,900 square feet. The building has been most recently operated as a rental property. Based on the photographs supplied by the applicant, the building appears to be in relatively poor condition, but no materials were included in the application to indicate whether or not rehabilitating the structure for continued use as a dwelling was a feasible alternative. Planning Division staff has not performed an inspection of the interior of the building or accessory structures. The applicant has submitted a comprehensive recycling and reuse plan for the property.

At this location, the single-family residential use is not incompatible with the adjacent multi-family residential uses although given the proximity to the intersection and the fact that it's the only single-family home northeast of the intersection, staff question the continued viability of a single-family house at this location. The property is recommended for Medium Density Residential uses in the Comprehensive Plan, and eventual replacement of this single-family dwelling with a more intensive use would also be consistent with that recommendation.

### **CONCLUSION**

This proposed small convenience commercial/office development is not necessarily inconsistent with the Comprehensive Plan recommendation for Medium Density Residential uses, particularly in light of the identification of the Gammon Road/Schroeder Road intersection as a potential location for an appropriate Transit-Oriented Development. In the absence of an adopted small area or neighborhood plan that recommends this specific site for non-residential uses, the specifics of the proposed site plan, building plan and management plan for the property are critical in determining whether the project should be approved.

Staff has received conflicting opinions on the proposed rezoning, demolition permit and conditional use permit. The owners of the adjoining apartment complex and some of the residents have expressed strong concerns about the potential negative impacts of a multi-tenant commercial use and its parking area, in particular with the potential for excessive noise from customers and others gathering in the parking lot behind the building late at night. Staff have been informed that others have expressed support for the project and indicated that an attractively designed, multi-story commercial use at this corner makes sense given the existing uses at this intersection and concerns that have been expressed about the development of additional rental housing in an area which is currently predominantly rental housing. Most of the concerns expressed about the project predict late night congregations and loud vehicular and stereo noise emanating from vehicles congregating within the parking lot of the commercial center.

Staff believe that many if not all of these concerns could be addressed by a well thought out management plan for the center and conditions placed on the project which deal with hours of operation, the type of businesses allowed within the development and the security and management for the property.

Staff considers this to be an attractive and well-designed project and has no basis to conclude that the design of the proposed neighborhood retail/office development would be any less safe than a more conventional "strip center" design. The proposed plan includes some design aspects that identify much of the area as a public space, including landscaping and proposed patio treatments to better define public spaces, as described in the CPTED benchmarks.

However, even aside the concern with possible illegal activity, there is a reasonable potential that the rear parking, its lighting, and noise generated by customers and their vehicles will have an



impact on the adjacent residential uses unless specifically addressed. The business hours of the unspecified future establishments are not known at the time this report was prepared, but discussions with the applicant indicate that a limitation on hours of operation is possible. And it is at least possible that use of the parking area as an after-hours gathering spot could also occur and have additional undesirable impacts, as some residents have suggested, unless adequately addressed.

Any new non-residential uses introduced in close proximity to existing residential developments always have at least a potential to have some negative impact on those residences, and this possibility isn't, by itself, a sufficient reason that non-residential uses should not be allowed. But the positive and negative potentials need to be addressed.

Given the Comprehensive Plan recommendations for this property, which include a recommendation for medium density residential development with a transit-oriented development overlay and the location of this parcel at the intersection of Schroeder Road and Gammon Road, staff believe that a multi-story commercial development could be designed in a manner which would be considered compatible with the adjoining residential uses and the recommendations of the Comprehensive Plan. However, because the rezoning of this property runs with the land and not the proposed owner of the property, staff are concerned about the management of the property over the long-term and incorporating appropriate conditions and restrictions which ensure that the property will be managed in a manner which will result in little, if any, impacts on the adjoining residential properties. Staff have been informed that the adjoining residents and apartment owner are very concerned about the appearance and maintenance of the existing property and how the property has been maintained in the past. Staff view the current proposal as an opportunity to address these problems.

Because this project includes a zoning map amendment, demolition permit request and a conditional use permit, the Plan Commission has the ability to recommend appropriate conditions of approval on both the zoning map amendment and the conditional use permit in order to address concerns which are expressed and the standards for approval. The Plan Commission must find that the proposed zoning map amendment is in the public interest, and that all of the demolition permit and conditional use permit standards can be met. Staff believe that with appropriate conditions of approval it may be possible to address the concerns that have been expressed to date. The Plan Commission will need to determine whether the proposed development and the applicant's response to concerns that have been expressed adequately address the concerns and that the project warrants approval when reviewed against the standards for approval of a zoning map amendment and conditional use permit. Staff do not oppose the demolition permit, or the conditional use permit and believe that the fundamental decision involves the appropriateness of the zoning of the proposed property as C1-Limited Commercial District.

The Plan Commission will need to carefully consider the materials submitted by the applicant, the objections registered by the adjoining property owner and residents, and any responses which may be forthcoming from the applicant in considering whether the project warrants approval when reviewed against the zoning map amendment standards and conditional use standards. Because the zoning on the property is currently not in place to approve the conditional use permit for the drive-up window, Planning staff recommend that consideration of the drive-up window be referred until such time as the zoning map amendment is approved by the Common Council.

### **RECOMMENDATION**

If after reviewing the application materials and the comments of reviewing agencies, and considering the testimony submitted at the public hearing, the Plan Commission can conclude that the proposed project has neighborhood support equivalent to support for the proposed use in a neighborhood plan; and can also conclude that the concerns about the potential negative impacts of the project expressed by neighborhood residents, including residents of the adjacent apartments, have been adequately addressed, then the proposed rezoning and demolition permit should be approved, subject to comments of the reviewing agencies and any additional conditions the Commission considers appropriate.

If, on the other hand, the Plan Commission cannot reach a conclusion that the proposed project adequately addresses the concerns of neighborhood and adjacent residents about the potential negative impacts of the project have been adequately addressed, the proposed rezoning and demolition permit should be referred or placed on file.



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 Supervisor**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

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

DATE: July 26, 2007

TO: Plan Commission

FROM: *for* Larry D. Nelson, P.E., City Engineer

SUBJECT: 821 South Gammon Road Conditional Use, Demolition, and 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. This site is classified as "new" development and is in the Upper Badger Mill Creek Impact Fee District. Area charges shall be paid prior to approval.
2. As new development - detention, stormwater, infiltration, thermal control, oil and grease control, and sediment control are all required.
3. Applicant shall provide justification (drainage fixture units) that a multi-tenant building including a laundry can adequately be served by a 4-inch diameter sewer lateral.

**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: 821 South Gammon Road Conditional Use, Demolition, and 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 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.

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- 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 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) or (608) 266-5952
- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

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

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- b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.  
The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

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

**Streets and Sidewalks**

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

#### 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).
  - Control 80% TSS (5 micron particle).
  - Provide infiltration in accordance with NR-151.
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 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 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) Lot lines
  - g) Lot numbers
  - h) Lot/Plat dimensions
  - i) Street names

NOTE: Email file transmissions preferred [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) . Include the site address in this transmittal.

- 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

July 26, 2007

TO: Plan Commission

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

SUBJECT: **821 South Gammon Road – Rezoning – Temp A to C1 - Demolish Single-Family Home to Construct Multi-tenant Commercial Center**

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 dedicate eight (8) ft along the Schroeder Road right-of-way for street improvements.
2. The applicant shall show improvements on Schroeder Road to accommodate the approach onto the street at this intersection.
3. The applicant shall enter into a subdivision contract or developer's agreement to accommodate proposed street improvements, which include street lighting, and traffic signal changes.
4. The attached Traffic Signal/Street Light declaration of conditions and covenants shall be executed and returned with site plans. The development shall acknowledge on their proportionate share of traffic signal assessments. The development shall further agree in writing to not oppose their proportionate share of the traffic signal assessments as part of the City's Special Assessment districts for traffic signals.

### PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

5. None

### GENERAL OR STANDARD REVIEW COMMENTS

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

6. 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), 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'.

7. The applicant shall show the drive-thru being clearly identified with pavement markings and/or signage and the service point shall be shown. The Applicant shall provide to Traffic Engineering for approval, a Queuing Model showing provision for adequate queue storage that prevents queue interference with pedestrian or other vehicular movements.
8. 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. The applicant shall install a "Stop" and "Do Not Enter" sign at the drive up exist lane. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
9. 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.
10. 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: John Bieno  
Fax: 608-257-1092  
Email: [jjbienot@tjkdesignbuild.com](mailto:jjbienot@tjkdesignbuild.com)

DCD: DJM: dm

**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** July 6, 2007  
(revised)

**To:** Plan Commission

**From:** Kathy Voeck, Assistant Zoning Administrator

**Subject:** 821 S Gammon Rd., Demo and Rezoning

**Present Zoning District:** Temp. Ag

**Proposed Use:** Demo single family home to build a multi-tenant commercial building with drive-up facility for Klinke Cleaners.

**Requested Zoning District:** C-1

**Conditional Use:** 28.04(22) Demolition of a principal building requires Plan Commission approval.

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). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. Dry cleaning and laundry establishments employing not more than 8 persons, including drive-up service windows if the zoning lot has direct vehicular access to either the heavy traffic system or a collector street via a driveway approach where the Traffic Engineer has determined that this site will properly accommodate such an operation and that traffic problems will not be created in the street is a permitted use.
2. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Permits must be issued by the Zoning Section of the Department of Planning and Development
3. Show addresses of the tenant spaces on the final site plans.
4. Since the future uses haven't been determined yet, the total parking requirement has been estimated at 27 with the assumption that the uses will be retail/office uses. The dry cleaning use would require one stall per each two employees and one stall for each 300 sq. ft. of retail pick up area. Include this information in the final sign off. This parking requirement could be less than the one stall per each 300 sq. ft. of gross floor area. We are unable to determine if there will be a need for a parking reduction in the future depending on the future tenants.

5. Meet all applicable State accessible requirements, including but not limited to:
  - a. Provide a minimum of **one** accessible stall striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
  - b. Show signage at the head of the stall. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
  - c. Show the accessible path from the stall to the building. **The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.**
  
6. Provide two bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. **NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.** Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
  
7. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) **Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover.** All plant materials in islands shall be protected from vehicles by concrete curbs.
  
10. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot.
  
9. Provide landscaping/screening 6-8' high along the easterly and northerly property lines adjacent to residential uses.

**ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	6,000 sq. ft.	26,159 sq. ft.
Lot width	50'	168.01
Front yard	0'	18'
Side yards	0'	11.5' and 46'
Rear yard	30'	81'
Building height	3 stories/40'	2 stories

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	27 (assuming retail/office)	24 (4)
Accessible stalls	1	(5)
Loading	1 (10' x 35') area	provided
Number bike parking stalls	2	(6)
Landscaping	Yes	(7)
Lighting	No	(8)

<b>Other Critical Zoning Items</b>	
Urban Design	Yes
Utility easements	None shown
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

cc: Traffic Engineering



# Madison Metro Transit System

1101 East Washington Avenue  
Madison, Wisconsin, 53703  
Administrative Office: 608 266 4904  
Fax: 608 267 8778



July 24, 2007

TO: Plan Commission  
FROM: Timothy Sobota, Transit Planner, Metro Transit  
SUBJECT: **821 South Gammon Road – Conditional Use/Rezoning – “SJR Enterprises”**

Metro Transit 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 install a concrete passenger boarding pad on the east side of Gammon Road, approximately 90 feet north of Schroeder Road (as shown on C-1.1). The concrete pad shall occupy the full distance of the terrace, measure 6 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.
2. The applicant shall install and maintain a bench or other seating amenity and a trash receptacle on top of a concrete pad or other suitable surface on the east side of Gammon Road north of Schroeder Road, in an area adjacent the concrete passenger boarding pad described above. If installed on City right-of-way between the curb and sidewalk, the amenities may not obstruct a six-foot zone of concrete pad between the curb and sidewalk on the west end, furthest from the intersection.
3. Such passenger amenity requests are typically fulfilled with the applicant installing the items on private property behind the sidewalk. It is Metro Transit's recommendation that the applicant review the potential of placing the amenities outlined above on private property. **Placement of privately installed and maintained property on public right-of-way will require the review and approval of additional City agencies, including City Real Estate and City Engineering, prior to Metro Transit giving final approval to the plans.**
4. The applicant shall include the location of these passenger amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.
5. The applicant shall remove the notation on C-1.1 and any other reference as to the bench being provided and installed by Madison Metro.

## GENERAL OR STANDARD REVIEW COMMENTS

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

6. Metro Transit currently operates bus service seven days a week along Gammon Road past this stop location. Metro bus stop #8131 is located on the east side of Gammon Road, north of Schroeder Road.
7. Metro Transit requests to sign and review final documents submitted for this project.

Please contact Tim Sobota, Metro Transit at 261-4289  
or by email at <tsobota@cityodmadison.com>  
if you have questions regarding the above items.

Digitally signed  
by Tim Sobota  
Date: 2007.07.24  
15:27:17 -05'00'

CC: Project contact person, John Bieno: <jjbieno@tjkdesignbuild.com >

## AGENDA # 1

City of Madison, Wisconsin

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REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: July 11, 2007

TITLE: 821 South Gammon Road – New  
Construction, Office/Retail Building in  
Urban Design District No. 2. 1<sup>st</sup> Ald. Dist.  
(06770)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: July 11, 2007

ID NUMBER:

---

Members present were: Paul Wagner, Lou Host-Jablonski, Richard Slayton, Todd Barnett, Michael Barrett, Joan Bachleitner, and Marsha Rummel.

### SUMMARY:

At its meeting of July 11, 2007, the Urban Design Commission **GRANTED INITIAL APPROVAL** of new construction located at 821 South Gammon Road. Appearing on behalf of the project were Richard Klinke, Steve Klinke, John Bieno and Nate Brand. Appearing in opposition were Kathy Bastien, Sandra Shurk, Al Suildebhain and Greg Paradise. Appearing neither in support nor opposition was Lisa Subeck. The modified plans as presented featured the following:

- The addition of a sidewalk along the northerly edge of the building to Gammon Road.
- Enhanced landscaping which includes a new tree island on the easterly row of surface parking.
- The doubling of minimum landscape points required for the surface parking facility.
- The addition of landscaping along the south elevation of the building, as well as a rain garden adjacent to a storm inlet.
- In order to relieve issues with the disjointed of the appearance three parts or components of the building; the elevations have been adjusted to create a common ceiling plane, extended a horizontal band utilizing the upper edge of the parapet wall on the one-story element of the building, in combination with incorporation of a cedar horizontal accent band above upper portions of the second story windows of the remaining two building components of the building, including a revised parapet element on the southerly component of the building featuring a roof screen.
- The various building elevations display typical locations for wall signage with further details to be provided as part of a separate future approval.

Following the presentation various members of the public spoke in favor and against the project. Representatives of the adjoining multi-family development spoke to issues with the development of retail/commercial center adjoining their residentially improved properties and inherent conflicts between the two land uses, including the potential for an increase in crime and vandalism already within the neighborhood. Nate Brand, part owner of the adjacent Country Meadows apartments, spoke to issues with zoning of the property for commercial uses, its location at a dangerous intersection, as well as problems with ingress and egress and traffic flows. Kathy Bastien, property manager for Country Meadows spoke in opposition, citing issues already within the area with street gangs, as well as potential conflicts with the location of residential buildings in close proximity to the proposed surface parking area, including residential patio areas. Sandra Shurk, assistant manager of the Country Meadows apartments also voiced concerns relevant to traffic, development of a commercial/strip building, as well as issues with parking lot signage, lighting and odor from

the proposed dumpster. Al Suidebhain, a resident in an adjacent building raised concerns with the proximity of a dumpster to his residential building, as well as the need to downsize the building to fit the number of parking spaces proposed. Attorney Greg Paradise spoke as representative of the owners of Country Meadows noting the parking lot's close proximity to the residential property and the potential to foster unsupervised activities, in addition to the land use plan's support for residential development of the property and the Comprehensive Plan for the City of Madison in support for transit-oriented uses where the apparent development of a surface parking lot may conflict. Lisa Subeck spoke in favor of the project in providing an opportunity for jobs, as well as walkable accessible services within the area as supported by the ongoing initiative for the Southwest Neighborhood Plan. Following the presentation the Commission noted the following:

- Applicant is encouraged to provide further consideration of residential on the second floor level.
- Concern stated relevant to traffic safety, access and potential for crime in the area are more relevant to the land use considerations by the Plan Commission.
- Like project, the last thing to think about is more residential on Gammon and Schroeder. Residential would create more trash and problems with neighbors, this is a good project.
- Consider adjusting parking stalls on east side to 16-feet in depth with a 2-foot overhang to increase the amount of greenspace buffer along the easterly property line, in addition to providing alternatives for the relocation of the dumpster to be more friendly to neighbors.
- Project as proposed is supportive of transit orientation consistent with the provisions of the Comprehensive Plan.
- The application of cedar siding in combination with brick should be modified to eliminate materials being in the same plane with the provision of an off-set.
- Project is doing everything the City has been asking, building is oriented to the street, minimum parking provided.
- Relevant to the lighting provide fixtures of full cut-outs and reduce light levels below the drive-up canopy, in addition to relocating the dumpster.
- Provide consideration for a corner entry off the southwesterly corner of the building would be a major improvement.
- Reduce the brightness of the wall mounted fixtures, especially the possibility of spilling on to the neighbors to the north.
- Need a door at the corner of the building.
- Door may preclude adjacent area's use as an outdoor area.
- Architecture at the corner should be changed to be more pedestrian/orientated retail, not just a door on the corner. The corner should have a stronger treatment (curb element).

**ACTION:**

On a motion by Barrett, seconded by Rummel, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a vote of (6-0-1) with Slayton abstaining. The motion required address of the building's corner architectural issues as specified above, and alternative dumpster location. The motion provided for the development of a stronger treatment of the southwesterly corner of the building, including considerations for a door and/or other amenities to provide for its enhancement architecturally, as well as overall function.

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, 6, 6, 6.5, 6.5 and 7.



URBAN DESIGN COMMISSION PROJECT RATING FOR: 821 South Gammon Road

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	Abstain							
	6	6	5	5	-	6	5	6
		6		5	-	-	7	6.5
		6	-	5	-	-	7	6.5
	6	7	6	6	-	6	7	7
	6	7	6	5	-	6	7	6
	7	8	7	6	-	7	6	7
	7	5.5	-	-	-	-	-	5.5

General Comments:

- The project looks pretty nice and well adapted to the site. There needs to be more elaboration as to how it fits in the Comprehensive Plan.
- Address corner architecture. Commercial mixed use is exciting here, like “transit oriented development.”
- Project much improved; look at surface parking space dimensions.
- This seems like an appropriate use and design for this location. However, the corner is weak, and this is the part of the building that is most important. Relocate dumpster.

CITY OF MADISON  
**INTER-DEPARTMENTAL**  
CORRESPONDENCE

DATE: August 1, 2007

TO: Kevin Firchow, Planning Division

FROM: Jule Stroick, Planning Division

SUBJECT: Southwest Steering Committee Response to Proposal at 821 South Gammon Road,  
Madison, WI

The Southwest Neighborhood Steering Committee (SWNSC) discussed the proposed development at 821 South Gammon Road on July 31, 2007. The SWNSC requested a communication to be sent to Planning Unit staff regarding any development in the southwest area. On a motion supported unanimously by members present:

*For any development, support the land use designations within the adopted Madison Comprehensive Master Plan for the planning area, but stress that any new development should address: 1) Safety Issues; 2) Employment Possibilities; 3) Transportation Issues (i.e. ingress/egress); and ensure that the quality of life for people immediately adjacent to the development is not significantly impacted.*

The Southwest Neighborhood Steering Committee was appointed on November 7, 2006 to prepare a mid-range neighborhood plan for the area bounded by Mineral Point Road on the north, South Whitney Way on the east, Raymond Road on the south, and McKenna Boulevard on the east. Additionally, the area includes Gammon Lane and Balsam Road areas. The proposed development at 821 South Gammon Road lies within the planning area.

Charles T. Vaughan  
6318 Woodington Way  
Madison, WI 53711  
(608) 277-1149  
chasv@charter.net

Dear Jed,

I am in support of the Klinke proposal for the property at 821 S. Gammon Road. The underused and dilapidated property is a prime candidate for the infill retail proposed. The Klinke Company has had a location in this area for some time, and I understand their desire to own the location of their business. If the rough elevation drawings I saw are accurate, the design of the building is aesthetically appealing and my only concerns would center on appropriate tenants for the location (no payday loans, liquor, pawn etc.) excess noise of a dry cleaning facility and approval by traffic/zoning for the parking lot and traffic flow patterns in/through the parking lot. I am sure these concerns are shared by the city as well as other neighbors and that the appropriate agencies would be required to participate and give approval as well as monitor ongoing compliance.

I am in disagreement with Mr. Mohs and his anecdotal highlights of problems the project would deliver. The property must have been available to many purchasers other than the "bad landlord" who owns the property currently, including nearby property owners. I am sure there are many savvy developers who view the location as a prime spot for many different uses. However since the Frisch estate sold in 2003, no one has seen fit to propose a small "apartment house" or other use. As we know, there are many available rental units in this part of the city, and adding more would not be responsible to the immediate neighbors or the surrounding neighborhoods.

The Klinke's have proposed an appropriate use for this highly visible parcel. As long as they are committed to building a facility that they can be proud of, assure the surrounding neighbors of their commitment to safety, security and a project of quality, I am in support.

Charles Vaughan

July 30, 2007

Dear Southwest Neighborhood Plan Steering Committee members,

I am sending this written communication to share with you all because I have an unavoidable work conflict and will not be able to arrive at our meeting until after 7 pm. As the re-zoning of 821 South Gammon Road and related land use recommendations are first on our 6 pm agenda, I'd like to share my thoughts on the topic.

As most of you know, I live in a condo I own at 818 South Gammon Road, directly across the street from the proposed development. Many of my neighbors at Woodhill and I are pleased with the proposal and are comfortable with the necessary zoning change. As one who will be directly affected by the redevelopment of the property, I see the proposal as an improvement to my neighborhood and to the area as a whole.

As Mr. Mohs, who along with the Brand family owns Country Meadows Apartments, explained at our last SWNP meeting, the current single-family home has not been well maintained. Additionally, the owners have consistently rented the property to less than desirable neighbors. There have been problems with excessive numbers of dogs and the behavior of such dogs, the neon "tarot card reader" sign, regular police calls and contacts, noise, cars parked on the lawn, etc. The property, in its current state, deters from the quality of life in my neighborhood.

This leaves a few possibilities. The current owners have made it apparent through their current actions at attempted sale that they intend to sell the property for development. Should the re-zoning go through as proposed, the Klinkes would make excellent neighbors who would contribute positively to the neighborhood. The Klinkes have told the Urban Design Commission that a likely second tenant would be a coffee shop. The third retail space would be occupied by some sort of small retail establishment such as a specialty store or something similar. The upstairs units would be rented as office space. As Steve Klinke answered when I asked about possible other tenants, he would not want his drycleaner customers to come to a space shared with a liquor store, payday loan, or other similar business. Through some extensive conversations with the Klinkes and through listening to them at two Urban Design meetings, I feel confident that their development and its tenants would be an asset to my neighborhood.

The proposed development truly fits much of what we have discussed as desirable through our Neighborhood Plan process. The development would provide jobs for low-skilled workers within walking distance of nearby affordable rental housing. The addition of a coffee shop or similar establishment offers a desirable neighborhood gathering place within walking distance of multiple southwest side neighborhoods. Other amenities within walking distance would include the Klinke drycleaners and other retail or office oriented businesses. And, of course, unlike residential development, a commercial development would not add to the already very high density of rental housing within this particular neighborhood. Even as an affordable housing advocate who generally supports increasing the supply of rental housing in the city, I can see that additional density in this particular location will only contribute to existing

concerns. For those of you less familiar with the location in question, the following rental housing is located within just 2 blocks of the site:

- 104 Apartments: 700 block of S. Gammon Road (Country Meadows)
- 340 Apartments: 6800 block of Schroeder Road (Country Meadows)
- 104 Apartments: 6700 block of Schroeder Road (Country Meadows)
- 176 Apartments: 6700 block of Schroeder Road (Willow Pointe)
- 27 Apartments: 6900 block of Schroeder Road (Canes Manor)
- 16 Apartments: 6800 block of Schroeder Road (Llori Terrace)

There are already 767 units of rental housing (note: this information was garnered from the City of Madison Assessor's website) located in the 2 blocks immediately surrounding the property at 821 S. Gammon Road. Additional multi-unit housing within the area include 34 owner occupied condominiums where I live at Woodhill in the 800 block of S. Gammon and a mix of additional rental and owner occupied units in the Windsor Condominiums and Park Ridge in the next two blocks south on S. Gammon. Zoning the site as multi-family residential, one suggestion from the city's Comprehensive Plan and that supported by Mr. Mohs, would be in direct opposition to the suggestions from our Neighborhood Plan process that we work to reduce (and definitely not increase) the amount of multi-family residential housing (and transience) in the area.

Mr. Mohs and his partners in Country Meadows have expressed concern about having a commercial parking lot behind the building. I understand their concerns given some of the problems we have seen in our neighborhood and would certainly advocate looking at options to make the parking lot visible from the street and/or requiring some sort of security arrangement on the part of the property owners. While a partially hidden parking lot is concerning, I would hate to see it kill an otherwise very appealing development. Mr. Mohs and his partners have also expressed concern about the drive-up window and about traffic. The reality is that a drycleaner's drive-up window is very different from that of a fast food restaurant and would serve just a handful of customers each day. The development will serve area residents as well as those already passing through, likely not increasing traffic in the area. After all, who drives clear across town to drop off their dry cleaning or to pick up a cup of coffee?

In a letter to Brad Murphy of the City of Madison Planning Department, Mr. Mohs stated, "To begin with, we would accept a multi-family project either as a rental or condominium on the site. We would hope that if the property was a rental that it would be operated by someone who was doing a better job than most of the landlords in our neighborhood," and continues, "At least with a rental, we would have the chance that it would be a contribution to the community and not assuredly a significant negative to our residents."

After reading this statement from Mr. Mohs, considering all of the potential benefits of the proposed commercial development including walkable amenities for Mr. Mohs's renters, and realizing that as the last undeveloped property on S. Gammon Road this parcel will inevitably not remain a single family home, I couldn't help but wonder why Mr. Mohs and his partners at Country Meadows would oppose this commercial development. After all, it seems like a

no-brainer that it actually has a lot to offer his residents. Frankly, I didn't have to wonder for long.

In two separate conversations with Mr. Mohs, he expressed to me that one option would be for him and his partners to purchase the property. In one of these conversations, he explained that he and his partners had expressed past interest in buying the property but that the Frisch sons had not offered it to them because of some resentment over the price given on other land (I assume he was referring to the original property developed as Country Meadows). In another conversation, he stated that if the price was right, "We could purchase the property, but of course, we couldn't be the ones to suggest it," to which I responded, "Yes, that would seem underhanded."

And it does seem underhanded, as does Mr. Mohs's opposition to the Klinker development. I genuinely believe that the opposition to this development on the part of the owners of Country Meadows stems not from their concerns about the neighborhood but rather from their interest in purchasing the property. As the sale of the property to the Klinkes hinges on the rezoning, denying the zoning change would leave open to Mr. Mohs and Mr. Brand the possibility of purchasing the parcel and redeveloping it as more multi-family residential housing (much to the detriment of our neighborhood and in direct opposition to our neighborhood planning goals).

I would like to add that though the Comprehensive Plan designates this property for future zoning as mid-density multi-family housing, it also designates the area (with this particular property as the centerpoint) as a Transit Overlay District. My understanding is that this offers the option of Transit Oriented Commercial Development on the site. Given that the property would focus on business such as a drycleaner, coffee shop, etc. that would focus on serving residents of the immediately surrounding area, it would be an attractive walking destination for nearby residents such as myself and my neighbors. Nearby bus stops also make it transit friendly.

Finally, I ask that you all give serious consideration to supporting the development proposed by the Klinkes. Living directly across the street from the property in question, my quality of life will be directly impacted by what happens on the parcel. Those of you who know me well know that I generally am not one to give blanket support to commercial development, especially if I believe a development will have ANY negative impact on the neighborhood. This is a rare occasion where I find myself so strongly supporting the developers, as I am certain this project will have a genuinely positive impact on my neighborhood. I ask that you join me in supporting this project and that you vote tonight to send a letter of support to the Plan Commission prior to its August 6 meeting where this rezoning will be considered.

Thanks for giving this matter your serious consideration.

Sincerely,  
Lisa Subeck  
818 S. Gammon Road #4

MOHS, MACDONALD, WIDDER & PARADISE

ATTORNEYS AT LAW

20 N. CARROLL STREET

MADISON, WISCONSIN 53703

FREDERIC E. MOHS  
DANIEL A. MACDONALD  
THEODORE C. WIDDER III  
GREGORY J. PARADISE  
JOHN W. VAN NOTE

608-256-1978  
FAX 608-257-1106

July 19, 2007

Mr. Brad Murphy  
City of Madison  
Planning & Development  
215 Martin Luther King, Jr. Blvd.  
Madison, WI 53703



RE: Rezoning of 821 S. Gammon Road

Dear Brad:

Enclosed is my objection to the re-zoning of above property. I have talked to officials of the surrounding neighborhood associations who have discussed this re-zoning over the last few months without an understanding that our property had not been notified of the impending change. I have asked all of them to support our residents and to oppose the rezoning. Because of the late date and the fact that some of these associations will not be meeting before the plan commission meeting on July 6<sup>th</sup>, I have asked them to circulate my request among their leadership. I just wanted you to know what I am doing.

Sincerely,

Mohs, MacDonald, Widder & Paradise

A handwritten signature in black ink, appearing to be "Frederic E. Mohs".

Frederic E. Mohs

FEM: eel  
Enclosure

MOHS, MACDONALD, WIDDER & PARADISE

ATTORNEYS AT LAW

20 N. CARROLL STREET

MADISON, WISCONSIN 53703

FREDERIC E. MOHS  
DANIEL A. MACDONALD  
THEODORE C. WIDDER III  
GREGORY J. PARADISE  
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608-256-1978  
FAX 608-257-1106

July 19, 2007

Mr. Brad Murphy  
City of Madison  
Planning & Development  
215 Martin Luther King, Jr. Blvd.  
Madison, WI 53703

RE: Rezoning of 821 S. Gammon Road

Dear Mr. Murphy:

On behalf of the residents of Country Meadows Apartments and my co-owners Nathan F. Brand and Nathan S. Brand, I want to express our opposition to the rezoning of 821 S. Gammon Road from agricultural (zoning map mid-density residential) to commercial. Unfortunately, we come to this discussion a little late. At the request of the Department of Planning and Development, the developers contacted the High Point Neighborhood Association, the Green Tree Neighborhood Association, and the Park Ridge Neighborhood Association as well as the Condominium Association for Wood Hill Condominiums across Gammon Road from our property and immediate adjacent to the 80-units that we have on the West side of Gammon for input on their development. Although our property surrounds the subject site, no contact was made with us and we did not hear about this matter until it was scheduled for hearing at Urban Design.

County Meadows is located on a 30-acre site just south of Woodman's on Gammon and runs almost the entire length of the block eastward on Schroeder Road. 821 Gammon Road is a 6/10ths of an acre single-family residential property that was the home of the Frischs, on part of whose farm Country Meadows was built in 1974. It is our position that the proposed commercial use of the property would seriously undermine and damage our ability to provide a livable and safe environment for our residents. Specifically, we are concerned with the construction of a commercial drive-through and parking lot within a few feet of our patios, balconies, and windows. Even if there were no other risks, the starting and stopping of cars, slamming of doors, engine and exhaust sounds, and the normal conversations that take place in a commercial parking lot will be disturbing to our residents. As I will describe later, this is just not a proposed ordinary commercial driveway or parking lot. This neighborhood has changed and is challenged.

Until Mrs. Frisch became too old to live in her home her property was beautifully maintained and a pleasure to be near. In fact, our apartments overlooking the Frisch's property were arguably among our best orientations. We know that if this property is developed as proposed that it will become a congregating point for people who will disturb



the residents of Country Meadows. This is a fact! One only has to look at what happens at the former Kwik Trip, now the Kelly Williamson service station across Schroeder Road. Gangs of unruly young people and cars with blasting radios that literally make them jump off the ground are disturbing to our residents from across the street. We know what will happen if those activities are moved just a few feet from our windows and patios. We can understand how people living in single-family houses blocks away from here might see the replacement of a single-family house that has been neglected and has terrible tenants with a new commercial property as an improvement. However, the owners and residents of County Meadow Apartments understand the challenges and environment of our particular property from a different and realistic point of view.

We are proud of the lifestyle that our managers and our residents cooperate in maintaining. We are not willing to experiment with high intensity lighting, cameras, or occasional drive-throughs by security police, because we know that we will be disappointed. Let's say that a subway shop moves in to one of the commercial spaces. People will come to buy their sandwiches during business hours and predictably will park outside, put their drinks and sandwiches on the trunk and have a party. They will talk and play their car radios. Does anybody believe that the employees of the sub shop or the laundry drive in will rush out to shoo noisy people out of the parking lot? Our managers and residents watch cars cruise into our own parking lots to do drug deals and even have kept their cars there while they go next door to rob the strip mall to the north. Our managers and maintenance people continually chase people doing bad things out of our parking lots. We have a neighborhood watch and we work hard on safety. Not only do we not think it is not fair to try to make us supervise someone else's parking-lot, but more importantly, we do not believe that we can succeed, no matter how hard we try. A commercial parking lot will have a great deal more traffic than an apartment house parking lot. Residents usually show more consideration to their neighbors than people who are merely coming and going and who live other places.

Let me tell you a little bit about why Country Meadows is a successful property. Our experienced management team works hard to "deliver" to our residents. We show respect to our residents by making every effort to rent to new residents who will be good neighbors to people already living at Country Meadows. We do everything we can to respond to maintenance needs or any other issue just as we would in our high end apartments at other locations. We have been rewarded by having a very good group of residents. It brings me no pleasure to say this, but too many of the owners of multi-family properties in our neighborhood have not been as successful as we have been. Many are hopeless and incompetent and their good residents have fled leaving well recognized trouble spots. Attached is a letter from Lieutenant Tony J. Petersen from the Madison Police Department complimenting our management.

Over the past five years we have spent \$50,000.00 installing a fence along the entire northern perimeter of our property so that people cannot drift through from Woodman's on their way to Willow Point. Why do I care about people walking through the property? Because we can see them looking in the cars, trying door handles, and appearing to look for opportunities to steal anything that isn't nailed down. I can assure you that we would not spend \$50,000 to fence our property if we did not feel that the safety and order of our property and our residents did not required it.

The Mohs and Brand families intend to stick with Country Meadows and to work hard to keep it a great place to live. Our worry is that neighborhood conditions will continue to deteriorate and that no matter how hard we try, worthy residents will abandon this part of town just as they have other troubled neighborhoods. We hope that our neighbors living in single-family zoned areas will support our cause and will think of how they would like a residential property next to their home converted to a commercial use with an unsupervised parking lot. Talks with neighborhood leaders lead me to believe that they are sympathetic.

I have been asked, "what will happen to the property if a commercial development is not built?" and "who would buy that property and rent it out as a single-family property when it is so valuable as a commercial site?" To begin with, this is not a commercial site yet, and hopefully never will be. I hope the decision makers involved in this issue are not willing to sacrifice the expectations and needs of our worthy apartment residents so that someone can max out on their property investment. The questions about what will happen to the property if this zoning request is denied are reasonable.

To being with, we would accept a multi-family project either as a rental or condominium on the site. We would hope that if the property was a rental that it would be operated by someone who was doing a better job than most of the landlords in our neighborhood.

At least with a rental, we would have the chance that it would be a contribution to the community and not assuredly a significant negative to our residents. If there is no market for a multi-family development on this site we would hope that the City would write the required orders on the property in order to bring the house up to standard along with the replanting of the lawn and fixing up of the garages. After all, it was the current owner who rented first to the tarot card reader and then rented a woman who had a dozen giant Great Danes who were kept in a fenced enclosure in the back yard yelping and pooping and turning what had been the best part of our property into the worst. Without thinking through the effect on our residents, I do not blame neighborhood leaders who live some distance from the property from thinking that anything would be better than the and her dogs because of course, they could not know about our opposition because we hadn't been informed about the proposed zoning while they were thinking about this. On reflection, I believe that they, and certainly we, understand that the single-family house that is there now is only one good landlord and one good tenant away from being just as nice as it was with the Frischs owned it. At any rate, the dogs and the dog woman are now gone and all that stands between the neighborhood and the elimination of the nuisance is a paint job on the house and the replanting and maintenance of the lawn. In no way do I believe that we, or the neighborhood, owes the current owner a superhuman effort and rezoning to make his poor real estate investment into a profitable one.

Country Meadows has 800 residents, many of whom are interested in this subject. I have attached a petition by the residents which has already been signed by over 200 people. I will bring the complete petition with all signatures to the plan commission meeting. I have also attached copies of some of the animal control complaints that we made regarding the property and its owner in the past. Basically, our appeals to the City to do something about the dogs and the maintenance and the previous residents were ineffective.

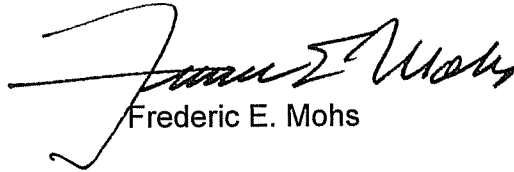
Page 4 of 4  
July 19, 2007

We all know that demolition by neglect should be discouraged and in our case, rezoning by creating a notorious nuisance should also be discouraged.

Thank you for your attention to this long appeal.

Sincerely,

Mohs, MacDonald, Widder & Paradise

A handwritten signature in black ink, appearing to read "Frederic E. Mohs". The signature is stylized with a large, sweeping initial "F" and a long horizontal line extending to the left.

Frederic E. Mohs

FEM: eel  
Cc: Mr. Rich Klinke



## Madison Police Department

City-County Building  
211 S. Carroll Street  
Madison, Wisconsin 53703-3303  
PH: 608 266 4022  
TDD: 608 266 6562

Mr. Fred Mohs  
20 N. Carroll Street  
Madison, WI 53703

Re: Country Meadows Apartments  
6840 Schroeder Road

Dear Mr. Mohs,

I would like to take the opportunity to thank you, Property Manager Kathy Bastien and the entire staff at Country Meadows Apartments for the diligent manner in which this large complex is managed.

I had the privilege to work closely with Kathy and her staff during the six years I was assigned to the West Police District. During that time I had many opportunities to witness Country Meadow's commitment to responsible property management. These observations included maintaining and improving the physical and quality of life conditions of your immediate property, effective screening of perspective tenants and aggressively addressing issues and concerns of tenants and the community. And I would like to emphasize that these qualities were maintained during the entire six-year period I was assigned to the West Police District and continue today.

Country Meadows Apartments is a leader in the property management industry, as well as a leader in our community, setting the standard for others to reach for. Your efforts are recognized and appreciated.

Sincerely,

Lt. Tony J. Peterson  
City of Madison Police Department-South Police District  
825 Hughes Place  
Madison, WI 53713  
(608) 266-5934  
[tpeterson@cityofmadison.com](mailto:tpeterson@cityofmadison.com)

**PETITION PROPOSING CONSTRUCTION OF THE KLINKE CLEANINGS  
DRIVE-THRU PROJECT AT THE CORNER OF  
GAMMON AND SCHROEDER ROADS**

Attached to this Petition is the copy of the application that the developers have submitted to the Urban Design Commission, which will hear the matter on July 11<sup>th</sup>, 2007. Later, this project will come before the Plan Commission and eventually the City Council.

**PETITION OF IMMEDIATELY AFFECTED RESIDENTS OF  
COUNTRY MEADOWS APARTMENTS**

We, the residents of 6840 Schroeder Road, a 20 unit apartment building and 6906 Schroeder Road, a 30 unit apartment building, oppose the development of the Klinke project adjacent to our homes. Approximately half of us face the project, but the others are affected as well. For many years, the wonderful Frisch family, on whose farm our property was constructed, lived in the white house on the corner. Mr. Frisch, and later his sons, maintained the property beautifully. Those of us who lived here alongside the Frisches were careful to be good and quiet neighbors and the Frisches, of course, were wonderful neighbors to us. Later, when Mrs. Frisch could no longer live in the house, the property was sold to an owner who rented to terrible people, the last of which who had more than 10 giant dogs who totally destroyed the lawn and whose barking created a hell for us. We asked our owners to let the undergrowth between our buildings and the corner property grow up so that we would have some barrier, but it was not enough.

We are now faced with not just a bad tenant in a nice house but a brand new development that will seriously and substantially decrease the livability of our apartment homes. After years of peace, we know what a bad neighbor is. Although we know that there are developments such as an apartment building that would be satisfactory on the property, we also know that right across the street at the former Kwik-Trip, that a commercial parking lot in our neighborhood can be the subject of dangerous and disturbing behavior. Particularly when the proposed parking lot is hidden from the street by the building and right up against our homes, we can predict that we are going to have serious problems. Additionally, the lighting necessary to at least partially protect against bad things happening in the parking lot, will shine right in our windows which I am sure you can understand no one would want.

We hope whoever reads this Petition, understands that no matter how modest our homes are, we now face directly onto a single family property that is zoned agricultural and is currently on the map as medium density residential. We believe we have the right to expect that future zoning and development should at least be neutral to us and hopefully, will enhance the livability of our homes.

**PETITION OF COUNTRY MEADOWS NEIGHBORS OF RESIDENTS  
IMMEDIATELY AFFECTED BY THE PROPOSED KLINKE PROJECT**

We, the residents of the remaining buildings at Country Meadows, support our neighbors in the most affected buildings and agree with their position. The deterioration of part of Country Meadows will affect us all. We give our full support to the affected neighbors and to their Petition.

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Address

This Petition is going to be delivered to our Alderman Jed Sanborn and to the High Point Neighborhood Association that approved the project without input from us. The developers who were supposed to contact the neighbors and instead of coming to us, who are immediately connected to the property, went up to the High Point Neighborhood Association, who were tired of the dogs and the bad neighbors, and sought their approval. We hope that our neighbors at High Point will listen to us and our concerns and will help us convince Alderman Sanborn and City Commissions and the Common Council that at a minimum, this project needs more work. Although there are other properties in our neighborhood that have had very disappointing behavior problems that have generated a great number of police calls, Country Meadows has been an island of calm. We ask for help in preserving our living environment. Now is the time to get this right.

Suzanne Gorch  
Name

6906 Schroeder Rd #1  
Address

Kate Wittig  
Name

6840 Schroeder Rd #19  
Address

Larry G. Craig  
Name

778 S. Gammon Road #6  
Address

W. M. Craig  
Name

778 S. Gammon Rd #6  
Address

Brenda Holman  
Name

6824 Schroeder #2  
Address

Ruthieyo  
Name

774 S. GAMMON RD, #8  
Address

Amy Holman  
Name

6828 Schroeder Rd #8  
Address

John Holman  
Name

6828 Schroeder Rd #8  
Address

Caul T. Holtzman  
Name

6836 Schroeder #5  
Address

Van Woodward  
Name

6840 SCHROEDER #14  
Address

Althea Chang  
Name

6840 Schroeder #7  
Address

Mika Sobasky & Becca Alvot  
Name

6906 Schroeder Rd.  
Address

Audrey J. Gausmann  
Name

6840 Schroeder Rd. #9  
Address

Scott Longley  
Name

6840 Schroeder Rd #19  
Address

Muel Mitten  
Name

6906 Schroeder Rd. #24  
Address

Dan Erbach  
Name

6906 Schroeder Rd. #2  
Address

STUART SPENCER  
Name

6840 SCHROEDER #20  
Address

~~Bob Mies~~  
Name

~~6722 Schroeder #4~~  
Address

Jim Santulli  
Name

6840 Schroeder Rd. #2  
Address

Mike Malouli  
Name

734 S. Gammon Rd. #6  
Address

Suzanne Gerd  
Name

6906 Schroeder Rd. #1  
Address

Wanita Tobias  
Name

6840 Schroeder Rd #17  
Address

~~Joseph J. Ferguson~~  
Name

~~6814 Schroeder Rd., #3~~  
Address

~~[Signature]~~  
Name

6840 Schroeder Rd. #3  
Address

Peter Schult  
Name

6906 Schroeder Rd #20  
Address

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address



**PETITION OF COUNTRY MEADOWS NEIGHBORS OF RESIDENTS  
IMMEDIATELY AFFECTED BY THE PROPOSED KLINKE PROJECT**

We, the residents of the remaining buildings at Country Meadows, support our neighbors in the most affected buildings and agree with their position. The deterioration of part of Country Meadows will affect us all. We give our full support to the affected neighbors and to their Petition.

Bill Fensha  
Name

6808 Schroeder Rd. Apt. 12  
Address

Janice Neuman  
Name

6834 Schroeder Rd #24  
Address

Larrett Graf  
Name

6902 Schroeder Rd #15  
Address

Edwin Graf  
Name

6902 Schroeder Rd #15  
Address

Sue Richard  
Name

178 S. Gammon Rd #1  
Address

David Hercules  
Name

766 S Gammon Rd #2  
Address

Jerome Franklin  
Name

6834 Schroeder Rd #15  
Address

John Dibble  
Name

6704 Schroeder Rd Apt #15  
Address

[Signature]  
Name

6816 Schroeder Rd #8  
Address

Blaise Kimpert  
Name

6816 Schroeder Rd #8  
Address

[Signature]  
Name

6902 Schroeder Rd. #4  
Address

Mary Jane Villacresal  
Name

6722 Schroeder Rd #1  
Address

Don Anderson  
Name

6708 Schroeder Rd #4  
Address

Rachel Thomsen  
Name

6712 Schroeder Rd #1  
Address

~~Kot et. D~~  
Name

234 S. Gammon #7  
Address

Ronald E. Peckitt  
Name

6828 Schroeder Rd #12  
Address

Michael Logan Welch  
Name

6820 Schroeder Rd #1  
Address

~~Thomson~~  
Name

6710 Schroeder Rd. #8  
Address

Kathy [unclear]  
Name

6828 Schroeder Rd #6  
Address

Lynne [unclear]  
Name

734 S GAMMON RD #5  
Address

Arlan Bracy  
Name

734 S GAMMON RD #5  
Address

David Wolf  
Name

6802 Schroeder Rd #4  
Address

Quinn [unclear]  
Name

6828 Schroeder Rd #9  
Address

J. D. [unclear]  
Name

6820 Schroeder Rd #5  
Address

George [unclear]  
Name

6824 Schroeder Rd. Apt. 10  
Address

ROBERT ANDREWS  
Name

6704 - APT 18  
Address

C. G. [unclear]  
Name

766 Gammon Rd #10  
Address

Monserrat Torres  
Name

746 S. Gammon Rd #7  
Address

Name

Address

Brian Shah  
Name

778 S. Gammon Rd. #7  
Address

Delara Strassman  
Name

742 S. Gammon Rd #4  
Address

Sarah Buckley  
Name

766 S. Gammond Rd #1  
Address

Alynn Spurr  
Name

6828 Schroeder Rd #11  
Address

Dan Jensen  
Name

778 S. Gammon Rd. #8  
Address

DS  
Name

6824 Schroeder Rd #6  
Address

[Signature]  
Name

6810 Schroeder Rd #5  
Address

Karen M. Paschke  
Name

6902 Schroeder Rd. #10  
Address

James E. Lynch  
Name

6810 Schroeder Rd #13  
Address

Nicoff Beerburg Mason  
Name

6902 #25 Schroeder Rd.  
Address

Ken Mason  
Name

6902 #25 Schroeder Rd.  
Address

John R. Downey  
Name

6804 #8 Schroeder Rd.  
Address

Donal J. Hardgrove  
Name

6808 #24 (Schroeder)  
Address

Tenzin Kunsang  
Name

6710 #2  
Address

Kristin Liefer  
Name

6818 #4  
Address

Theresa Rudy  
Name

Kathleen Schroeder  
Name

Lynn A. Blenker  
Name

Rich Graham  
Name

[Signature]  
Name

Nat Stoo  
Name

Gruth Muntz  
Name

Tom Schmitz  
Name

Billy Bennett  
Name

Marsha Jenna  
Name

Mark J. Jager  
Name

Adam Chacon Adam C.  
Name

LaTisha McDuffy  
Name

Sara Peterson  
Name

Deb Mies  
Name

6832 Schroeder Rd, #10, Mdan, Wis.  
Address 53711

6820 Schroeder Rd, #2-53711, Madison WI  
Address

6806 SCHROEDER RD #5 MADISON 53711  
Address

6720 Schroeder Rd #4 Madison WI  
Address 53711

6716 Shroeder Rd #13 MADISON  
Address 53711

742 S. GAMMON Rd #1 MADISON WI. 53719  
Address

6814 Schroeder Rd  
Address

6824 Schroeder Rd. #16  
Address

6834/14 Schaefer Rd  
Address

6804 Schroeder Rd. # 3  
Address

6828 Schroeder Rd #12  
Address

6808 Schroeder Rd #21  
Address

6816 Schroeder rd #19  
Address

162 S. Gammon #8  
Address

6722 Schroeder #4  
Address

Ben Glantz  
Name

Linda J. Marini  
Name

[Signature]  
Name

Don Bjorklund  
Name

Valerij's Trohimovics  
Name

Bryg Becken  
Name

[Signature]  
Name

Jane Schwantes  
Name

JAMES R. HARPER  
Name

Shelagh A. Muzey  
Name

Aloka Kumbh  
Name

[Signature]  
Name

M. Stronach  
Name

Eric Ahlson  
Name

Joy Mayfield  
Name

6828 Schroeder Rd  
Address

Apt 14  
6806 Schroeder Rd #4  
Address

6706 Schroeder #10  
Address

6702 Schroeder #21  
Address

6716 Apt. #14, Schroeder rd.  
Address

758 Apt. 1 S. Gammon Rd.  
Address

6710 Schroeder Rd Apt 4  
Address

6836 Schroeder Rd #9  
Address

6824 Schroeder Rd #8  
Address

6710 Schroeder Rd. #7  
Address

6828 Schroeder Rd #16.  
Address

6906 Schroeder Rd #8  
Address

6702 Schroeder Rd #7  
Address

830 S Gammon Rd #2  
Address

6832 Schroeder Rd #24  
Address

Larry Roddick  
Name

6832 Schroeder Rd #30 2  
Address

Mark Hellen  
Name

6836 Schroeder Rd #18  
Address

Isabel May  
Name

6706 Schroeder #19  
Address

Jason P. Kuske  
Name

6722 Schroeder Rd. #7  
Address

Sandra M. Jansson  
Name

6814 Schroeder Rd, #3  
Address

Richard F. Haugh  
Name

6706 Schroeder Rd. #7  
Address

Sandra Junk  
Name

762 J. Gammon Rd #4  
Address

[Signature]  
Name

6824 Schroeder Rd #18  
Address

Linda A. Kimberly  
Name

6836 Schroeder Rd #3  
Address

Dennis R. Kimberly  
Name

6936 Schroeder Rd #3  
Address

Laurie Ferron  
Name

6714 Schroeder Rd #2  
Address

Eric Craig  
Name

778 S Gammon Rd #6  
Address

[Signature]  
Name

~~6906 Schroeder Rd #20~~  
Address

Don Timm  
Name

6828 Schroeder Rd, #19  
Address

Marcus Jensen  
Name

6710 Schroeder Rd #1  
Address

JUAN CARLOS MARI  
Name

[Signature]  
Name

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6910 SCHOREIDER RD #4  
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762 S. GAMMON RD. #7  
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Address

**ANIMAL CONTROL INCIDENT REPORT**

(608) 266-4821

01-030653

INCIDENT	OFFENSE/INJURY	OCCURRED				DISPATCHED				COMPLETED			
	<i>Feces Accumulation</i>	MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME
VICTIM	ADDRESS OF INCIDENT	APT	INJURY DESCRIPTION										
	<i>811 S. Gammon rd.</i>	-	<i>none</i>										
E	VICTIM (LAST, FIRST, M.I.)	SEX	RACE	D.O.B.		EMPLOYMENT/SCHOOL/GRADE				PARENT/GUARDIAN			
	T RES	BUS	ADDRESS			APT	CITY/STATE/ZIP			ADDRESS (if different)			
<input checked="" type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS		SEX	RACE	D.O.B.		EMPLOYMENT/SCHOOL/GRADE							
<i>V.C.N. ; Dan van E</i>		<i>M</i>	<i>-</i>	<i>unk</i>									
ADDRESS		ZIP CODE	APT	T RES	BUS								
<i>unk</i>		-	-	<i>EL 734-646-0096</i>									
ANIMAL OWNER		SEX	RACE	D.O.B.		AGE	EYES	HAIR	WT	HT			
<i>801 S. Gammon rd</i>		<i>F</i>	<i>W</i>	<i>11-1-56</i>									
ADDRESS		ZIP CODE	APT	T RES	BUS				EMPLOYMENT/SCHOOL/GRADE				
<i>Williams, Kathy J.</i>		<i>53719</i>	-	<i>EL unk</i>									
ANIMAL	BREED	SEX	AGE	NAME	COLOR/MARKINGS				PHYSICAL FEATURES				
<i>Dog</i>	<i>Great dane</i>	<i>♂</i>	<i>A</i>	<i>Saprina</i>	<i>various</i>								
COLLAR	I.D.	RABIES TAG NO.	RABIES VACC. DATE	RABIES EXP. DATE	VACCINATING VET				LIC. NO. <i>Prov. licat</i>				
<i>none</i>	-	<i>unk</i>	-	-	-				<i>none</i>				

CONTACT MADE. ACTION TAKEN *posted warning*

ORDINANCE VIOLATION # *7.37(b)*

CASE REFERRED TO \_\_\_\_\_

FOLLOW-UP NEEDED *county noxious also called 3/26 - Sandra at 273-8662*

*Per the voicemail I responded to 801 S. Gammon rd. re a feces complaint upon arrival I found no one home and looked in the backyard to verify the complaint. In the backyard I saw a great deal of mud and garbage as well as at least 15 piles of feces. I also smelled a strong, unpleasant aroma emanating from the yard. I posted a warning notice giving Williams until Monday to clean up the feces.*

*On 3/26/07 I returned to 801 S. Gammon with a sanitarian, Valerie Reiter. Upon arrival I find that the majority of feces had been removed. Valerie + I then spoke to Williams about*

REPORTING OFFICER	EMP. NO.	REPORT DATE	APPROVED BY	EMP. NO.	DATE
<i>Olert</i>	<i>3851</i>	<i>3/23/07</i>			

Under authority of ordinance 23.33(4) you are required to quarantine your pet for a period of ten (10) days.

Your animal shall be quarantined under strict isolation at your home per instructions

Your animal must be impounded within twenty-four (24) hours of receiving this notice at a veterinary hospital in Dane County.

Other requirements \_\_\_\_\_

IMPOUNDING VET OR EXAMINING VET'S NAME	ADDRESS	PHONE

**MADISON GENERAL ORDINANCE 23.33(4)**

An Animal Control Officer shall order the impoundment of any animal reasonably believed to be infected with rabies, or to have been in contact with a rabid animal or to have bitten, scratched or otherwise injured a person in such a way as to break the skin and allow the possible contact of an open wound with the animal's saliva. Any person who refuses or fails to deliver the animal in question shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Each day such violation continues shall be considered as a separate offense.

**ANIMAL OWNER AGREES TO KEEP PET QUARANTINED AS REQUIRED ABOVE AT ANIMAL OWNER'S EXPENSE AND HAS RECEIVED MDPH QUARANTINE INSTRUCTION FORM.**

ANIMAL OWNER'S SIGNATURE/DATE	INVESTIGATING OFFICER'S SIGNATURE/DATE	QUARANTINE CONFIRMATION DATE	ACO INITIAL
NOTICE DATE	QUARANTINE DATE	INTERIM EXAM DATE	RELEASE DATE



smell coming from her yard. We suggested using lime and a silt fence to better manage the guss. Williams stated that she would look into purchasing those items & is planning on fencing off part of the yard and using pea gravel as a ground cover. After leaving Valorie stated that she will send Williams a letter requesting that she remove the garbage in her yard.

INCIDENT	OFFENSE/INCIDENT	OCCURRED				DISPATCHED				COMPLETED			
		mo	day	yr	time	mo	day	yr	time	mo	day	yr	time
	Feces Accum.	3	23	07	11:00	3	23	07	11:00	3	28	07	14:17
ADDRESS OF INCIDENT		apartment		Injury Description				Reference Case # (Complete for any animals from same incident, not recorded on this page)					
801 S. Gammann rd		-		none				07-030653					
Complainant				Sex	Race	Date of Birth			Employment/School/Grade				
U.L.N, Dan U.M.T.				M	-	unk							
Address				Apt	Zip Code		Phone # Res.			Bus			
unk				-	-		734-696-0096						
Animal Owner				Sex	Race	D.O.B			Employment/School/Grade				
Williams, Kathy J.				F	W	11-1-56							
Address				Apt	Zip Code		Phone # Res.			Bus			
801 S. Gammann rd				-	53719		-						

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Dog	Great Dane	F	A	Sidney	blk & white		07-032926
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	
none	-	unk	-	-	n/a new old none	none	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Dog	Great dane	M	A	dryfus	brindle		07-032925
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	
none	-	unk	-	-	n/a new	none	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Dog	Great dane	F	YA	Allie	Fawn		07-032424
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	
none	-	unk	-	-	n/a age	none	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Dog	Great Dane	F	YA	Joni	Fawn		07-032423
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	
none	-	unk	-	-	n/a age	none	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Dog	Great dane	U	P	unk	Fawn		07-032422
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	
none	-	unk	-	-	n/a age	none	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Dog	Great dane	U	P	unk	Fawn		07-032419
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	
none	-	unk	-	-	n/a age	none	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Dog	Great dane	U	P	unk	Fawn		07-032418
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	
none	-	unk	-	-	n/a age	none	

Reporting Officer	Employee #	Report Date	Approved By:	Date

This form may be used for documenting incidents involving multiple domestic animals i.e a litter of kittens or an assist agency-forced eviction. This form is not to be used for any incident that involves injuries.

INCIDENT REPORT

City-County Building  
210 Martin Luther King jr. Blvd rm 507  
Madison, WI 53710  
(608) 267-1989

MULTIPLE ANIMAL REPORT FORM  
(File by first case # below)

ADDRESS OF INCIDENT	OCCURRED				DISPATCHED				COMPLETED			
	mo	day	yr	time	mo	day	yr	time	mo	day	yr	time
821 S. Gammann rd	3	23	07	11:00	3	23	07	12:00	3	26	07	14:17
Injury Description		Reference Case # (Complete for any animals from same incident, not recorded on this page)										
None		07-030653										
Complainant				Sex	Race	Date of Birth		Employment/School/Grade				
U.L.N., DAN U.M.I.				M	-	unk						
Address				Apt	Zip Code		Phone # Res.		Bus			
unk				-	-		734-646-0076					
Animal Owner				Sex	Race	D.O.B		Employment/School/Grade				
Williams, Kelley J.				F	W	11-1-56						
Address				Apt	Zip Code		Phone # Res.		Bus			
821 S. Gammann rd				-	53719		-					

- |        |            |              |             |                    |                |            |           |
|--------|------------|--------------|-------------|--------------------|----------------|------------|-----------|
| Animal | Breed      | Sex          | Age         | Name               | Color/Physical | DCHS #     | CASE NO.  |
| Dog    | Great Dane | M            | YA          | Zo                 | brindle        |            | 07-032408 |
| Collar | ID         | Rabies Tag # | Rabies exp. | Vaccinating Clinic | License No.    | Violations |           |
| none   | -          | unk          | -           | -                  | no tag         | none       |           |
- |        |            |              |             |                    |                |            |           |
|--------|------------|--------------|-------------|--------------------|----------------|------------|-----------|
| Animal | Breed      | Sex          | Age         | Name               | Color/Physical | DCHS #     | CASE NO.  |
| Dog    | Great Dane | M            | YA          | Dusty              | blk + white    |            | 07-032416 |
| Collar | ID         | Rabies Tag # | Rabies exp. | Vaccinating Clinic | License No.    | Violations |           |
| none   | -          | unk          | -           | -                  | n/a age        | none       |           |
- |        |            |              |             |                    |                |            |           |
|--------|------------|--------------|-------------|--------------------|----------------|------------|-----------|
| Animal | Breed      | Sex          | Age         | Name               | Color/Physical | DCHS #     | CASE NO.  |
| Dog    | Great Dane | F            | YA          | Merla              | gray - white   |            | 07-032415 |
| Collar | ID         | Rabies Tag # | Rabies exp. | Vaccinating Clinic | License No.    | Violations |           |
| none   | -          | none         | -           | -                  | n/a age        | none       |           |
- |        |            |              |             |                    |                |            |           |
|--------|------------|--------------|-------------|--------------------|----------------|------------|-----------|
| Animal | Breed      | Sex          | Age         | Name               | Color/Physical | DCHS #     | CASE NO.  |
| Dog    | Great Dane | M            | A           | Chase              | Fawn           |            | 07-032414 |
| Collar | ID         | Rabies Tag # | Rabies exp. | Vaccinating Clinic | License No.    | Violations |           |
| none   | -          | unk          | -           | -                  | n/a prev cite  | none       |           |
- |        |            |              |             |                    |                |            |           |
|--------|------------|--------------|-------------|--------------------|----------------|------------|-----------|
| Animal | Breed      | Sex          | Age         | Name               | Color/Physical | DCHS #     | CASE NO.  |
| Dog    | Great Dane | F            | A           | Alex               | Fawn           |            | 07-032412 |
| Collar | ID         | Rabies Tag # | Rabies exp. | Vaccinating Clinic | License No.    | Violations |           |
| none   | -          | unk          | -           | -                  | n/a prev cite  | none       |           |
- |        |            |              |             |                    |                |            |           |
|--------|------------|--------------|-------------|--------------------|----------------|------------|-----------|
| Animal | Breed      | Sex          | Age         | Name               | Color/Physical | DCHS #     | CASE NO.  |
| Dog    | Great Dane | F            | A           | Scarlett           | Fawn           |            | 07-032411 |
| Collar | ID         | Rabies Tag # | Rabies exp. | Vaccinating Clinic | License No.    | Violations |           |
| none   | -          | unk          | -           | -                  | n/a prev cite  | none       |           |
- |        |            |              |             |                    |                |            |           |
|--------|------------|--------------|-------------|--------------------|----------------|------------|-----------|
| Animal | Breed      | Sex          | Age         | Name               | Color/Physical | DCHS #     | CASE NO.  |
| Dog    | Great Dane | F            | A           | Amber              | blk + white    |            | 07-032410 |
| Collar | ID         | Rabies Tag # | Rabies exp. | Vaccinating Clinic | License No.    | Violations |           |
| none   | -          | unk          | -           | -                  | n/a prev cite  | none       |           |

Reporting Officer	Employee #	Report Date	Approved By:	Date

This form may be used for documenting incidents involving multiple domestic animals i.e a litter of kittens or an assist agency-forced eviction. This form is not to be used for any incident that involves injuries.

City of Public Health  
**CONTROL INCIDENT REPORT**

City-County Building  
 210 Martin Luther King Jr. Blvd rm 507  
 Madison, WI 53710  
 (608) 267-1989

**MULTIPLE ANIMAL REPORT FORM**  
 (File by first case # below)

INCIDENT	OCCURRED				DISPATCHED				COMPLETED			
	mo	day	yr	time	mo	day	yr	time	mo	day	yr	time
Accum.	3	23	07	11:00	3	23	07	11:00	3	28	07	18:17
ADDRESS OF INCIDENT	801 South Jammann rd -			Injury Description	Reference Case # (Complete for any animals from same incident, no recorded on this page) 07-030653							
Complainant	U.A.N Dan U-M.I			Sex	M	Race	-	Date of Birth	unk			
Address	unk			Apt	-	Zip Code	-	Phone # Res.	734-646-0096			
Animal Owner	Williams, Kathy J.			Sex	F	Race	cu	D.O.B	11-1-54			
Address	801 S. Jammann rd			Apt	-	Zip Code	53719	Phone # Res.	unk			

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Dog	Great Dane	V	P	unk	Fawn		07-32409
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	
none	-	none	-	-	N/A age	none	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Dog	Great Dane	V	P	unk	Fawn		07-032406
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	
none	-	none	-	-	N/A age	none	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	

Animal	Breed	Sex	Age	Name	Color/Physical	DCHS #	CASE NO.
Collar	ID	Rabies Tag #	Rabies exp.	Vaccinating Clinic	License No.	Violations	

Reporting Officer	Employee #	Report Date	Approved By:	Date

This form may be used for documenting incidents involving multiple domestic animals i.e a litter of kittens or an assist agency-forced eviction. This form is not to be used for any incident that involves injuries.

NARRATIVE ON REVERSE

Public Health - Madison and Dane County  
**ANIMAL CONTROL INCIDENT REPORT**

City-County Building  
 210 Martin Luther King, Jr. Blvd., Room 507  
 Madison, WI 53710  
 (608) 267-1989

HUMANE SOCIETY NO.

CASE NO.

07-052877

I N C I D E N T	OFFENSE/INCIDENT <i>Dog at Large</i>				OCCURRED				DISPATCHED				COMPLETED										
	MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME							
	5	15	07	13:00	5	15	07	13:30	5	15	07	14:30											
V I C T I M	ADDRESS OF INCIDENT <i>6406 Schroeder rd.</i>				CITY/ZIP <i>Madison 53719</i>				JURISDICTION <i>Madison</i>				INJURY DESCRIPTION <i>none</i>										
	VICTIM (LAST, FIRST, MI)				SEX	RACE	DOB				JURISDICTION				PARENT/GUARDIAN								
TEL RES				TEL BUS				ADDRESS				APT				CITY/STATE/ZIP				ADDRESS (if different)			
<input checked="" type="checkbox"/> COMPLAINANT				<input type="checkbox"/> WITNESS (LAST, FIRST, MI)				SEX	RACE	DOB				JURISDICTION				TEL RES					
<i>Madison sanitation worker</i>								<i>M</i>	<i>W</i>	<i>unk</i>								<i>434-2304</i>					
ADDRESS <i>unk</i>				CITY <i>-</i>				ZIP <i>-</i>				TEL BUS <i>-</i>											
ANIMAL OWNER (LAST, FIRST, MI) <i>Williams, Kathy J.</i>				SEX	RACE	DOB				AGE	EYES	HAIR	WT	HT									
<i>F</i>				<i>W</i>				<i>11-1-56</i>															
ADDRESS <i>821 S. Gannon rd</i>				CITY <i>Madison</i>				ZIP <i>53719</i>				DRIVER'S LICENSE <i>W452-5105-6901-00</i>				TEL BUS							
JURISDICTION <i>Madison</i>				TEL RES <i>770-2005</i>																			
ANIMAL <i>Dog</i>	BREED <i>Great dane</i>	SEX <i>M</i>	AGE <i>A</i>	NAME <i>Manny</i>				COLOR/MARKINGS <i>Fawn</i>				PHYSICAL FEATURES											
COLLAR <i>none</i>	ID <i>none</i>	RABIES TAG NO. <i>unk</i>		RABIES VACC. DATE <i>-</i>		RABIES EXP. DATE <i>-</i>		VACCINATING VET <i>-</i>		LIC. NO. <i>prev. cited</i>													
<input checked="" type="checkbox"/> CONTACT MADE. ACTION TAKEN <i>cited</i>																							
<input checked="" type="checkbox"/> ORDINANCE VIOLATION # <i>23.32(1) N789817</i>																							
<input type="checkbox"/> CASE REFERRED TO _____																							

**NARRATIVE**

*Per dispatch I responded to 821 S. Gannon rd. Upon arrival I spoke to Williams who stated that his dog "Manny" had somehow escaped his crate. I cited him for 23.32(1) and left. No one had been injured by the dog.*

REPORTING OFFICER <i>Olcott</i>	EMP. NO. <i>3851</i>	REPORT DATE <i>5/15/07</i>	APPROVED BY <i>PC</i>	EMP. NO.	DATE
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Under authority of ordinance WI Stats 95.21(5) you are required to quarantine your pet for a period of ten (10) days.

Your animal shall be quarantined under strict isolation at your home per instructions.

Your animal must be impounded within twenty-four (24) hours of receiving this notice at a veterinary hospital in Dane County.

Other requirements \_\_\_\_\_

IMPOUNDING VET OR EXAMINING VET'S NAME	ADDRESS	PHONE
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**WISCONSIN STATUTE 95.21(5)**  
 An Animal Control Officer shall order the impoundment of any animal reasonably believed to be infect with rabies, or to have been in contact with a rabid animal or to have bitten, scratched or otherwise injured a person in such a way as to break the skin and allow the possible contact of an open wound with the animal's saliva. Any person who refuses or fails to deliver the animal question shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000). Each day such violation continues shall be considered as a separate offense.

**ANIMAL OWNER AGREES TO KEEP PET QUARANTINED AS REQUIRED ABOVE AT ANIMAL OWNER'S EXPENSE AND HAS RECEIVED PHMDC QUARANTINE INSTRUCTION FORM.**

ANIMAL - OWNER'S SIGNATURE/DATE	INVESTIGATING OFFICER'S SIGNATURE/DATE	QUARANTINE CONFIRMATION DATE	ACO INITIAL
NOTICE DATE	QUARANTINE DATE	INTERIM EXAM DATE	RELEASE DATE

SPECIAL ROUTING REF. NO.

Health Dept, Animal Control

MADISON POLICE DEPARTMENT CASE NO.

07-05206

JUVENILE ARREST ADULT ARREST ORG SUPP SECTOR 114

OFFENSE/INCIDENT Check House FROM TO RECEIVED MO DA YR TIME MO DA YR TIME MO DA YR TIME

GANGS DRUGS USE OF FORCE HATE CRIME WEAPONS ALCOHOL TAVERN FILE ADDRESS OF OCCURRENCE 821 S. Grammer Rd APT

VICTIM (LAST, FIRST, M.I.) CONTACT: YES NO SEX RACE D.O.B. JUV AGE HT WT BUILD

ADDRESS/APT CITY/STATE RES BUS HAIR (COLOR/STYLE) EYES GLASSES FACIAL HAIR

T RES BUS PAGER/CELL EMPLOY/HRS/SCHOOL/GRADE SIGNATURE

REPORTED BY (LAST, FIRST, M.I.) Williams Kathy SEX RACE D.O.B. JUV EMPLOY/HRS/SCHOOL/GRADE PAGER/CELL

T RES BUS ADDRESS RES BUS APT CITY/STATE

SUSPECT CONTACT WITNESS VICTIM (Last, First, M.I./Alias) Wood Cheryl A CONTACT: YES NO SEX RACE D.O.B. JUV AGE HT WT BUILD

ADDRESS/APT CITY/STATE RES BUS HAIR (COLOR/STYLE) EYES GLASSES FACIAL HAIR

T RES BUS PAGER/CELL EMPLOY/HRS/SCHOOL/GRADE CLOTHING (TOP) CLOTHING (BOTTOM)

PARENT/OTHER (Address if different) RELATIONSHIP CONTACT: YES NO I.D. BY: VERBAL ANOTHER P.O. I.D. TYPE:

CHARGES/S.S./CITY ORD. ARRESTED YES NO STATUS

SUSPECT CONTACT WITNESS VICTIM (Last, First, M.I./Alias) Wood Daniel W CONTACT: YES NO SEX RACE D.O.B. JUV AGE HT WT BUILD

ADDRESS/APT CITY/STATE RES BUS HAIR (COLOR/STYLE) EYES GLASSES FACIAL HAIR

T RES BUS PAGER/CELL EMPLOY/HRS/SCHOOL/GRADE CLOTHING (TOP) CLOTHING (BOTTOM)

PARENT/OTHER (Address if different) RELATIONSHIP CONTACT: YES NO I.D. BY: VERBAL ANOTHER P.O. I.D. TYPE:

CHARGES/S.S./CITY ORD. ARRESTED YES NO STATUS

VEHICLE YR MAKE TYPE MODEL COLOR TOP/BOTTOM PLATE STATE YR TYPE EST. VALUE REC. VALUE

STATUS VIN NO. I.D. CHARACTERISTICS OWNER ADDRESS RES BUS CITY/STATE

NARRATIVE Responded to the above address for an assist. William said Daniel threw a CD at his mom Cheryl after Cheryl tried to take the remote from him & he took batteries out. Cheryl said she would work with Scher Social Services and/or Daniels father to resolve behavior problem due to his mentally delayed & cognitive disability. The house was so overwhelmingly potent with the stench of dog urine/feces that PO. Acker & my self refused to enter. There were also 3 great dane's inside weighing 120# each (or more). I observed signs

SUPERVISORY OFFICER EMP. NO. REPORTING OFFICER EMP. NO. REPORT DATE

NARRATIVE CONT.

on fresh feces on front door or mat inside house as well as a dirty unkept living room with dirt trash and items scattered about. I observed 9 dogs in the back yard barking while I was present w/ little grass left. There were piles of feces everywhere you looked in back yard. I appraised Officer Frank from AL. of situation.

M O	WEAPONS	ENTRY	FORCED ENTRY	SECURITY/LOCK DEFEATED
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T E C	REQUESTED	PERFORMED
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P R O P E R T Y	STATUS	DESCRIBE PROPERTY	BRAND	MODEL	SERIAL NO.	EST. VALUE	REC. VALUE

PROPERTY TAG NO(S)	LOCKER NO.	TOTAL
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DATE ENTERED	MOD	CANCELLED	DATA OPERATOR
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D A M A G E	DESCRIBE PROPERTY	EST. VALUE
		5

INSURANCE CO.	DAMAGE TOTAL
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**Public Health - Madison and Dane County**  
**ANIMAL CONTROL INCIDENT REPORT**

City-County Building  
 210 Martin Luther King, Jr. Blvd., Room 507  
 Madison, WI 53710  
 (608) 267-1989

HUMANE SOCIETY NO. \_\_\_\_\_ CASE NO. **07-067118**

INCIDENT	OFFENSE/INCIDENT				OCCURRED				DISPATCHED				COMPLETED			
	MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME				
	<i>Dog at Large</i>				<i>6</i>	<i>14</i>	<i>07</i>	<i>16:30</i>	<i>6</i>	<i>14</i>	<i>07</i>	<i>17:00</i>	<i>6</i>	<i>14</i>	<i>07</i>	<i>17:40</i>
	ADDRESS OF INCIDENT <i>821 S. Gammann rd (W)</i>			CITY/ZIP <i>Madison, WI 53719</i>	JURISDICTION <i>Madison</i>			INJURY DESCRIPTION <i>None</i>								
VICTIM	VICTIM (LAST, FIRST, MI)				SEX	RACE	DOB		JURISDICTION				PARENT/GUARDIAN			
	TEL RES	TEL BUS	ADDRESS		APT	CITY/STATE/ZIP			ADDRESS (if different)							
<input checked="" type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS (LAST, FIRST, MI)					SEX	RACE	DOB		JURISDICTION				TEL RES			
<i>Anonymous</i>																
ADDRESS					CITY				ZIP				TEL BUS			
ANIMAL OWNER (LAST, FIRST, MI)					SEX	RACE	DOB		AGE	EYES	HAIR	WT	HT			
<i>Williams, Kathy J.</i>					<i>F</i>	<i>W</i>	<i>11-1-56</i>									
ADDRESS					CITY				ZIP				DRIVER'S LICENSE			
<i>821 S. Gammann rd</i>					<i>Madison</i>				<i>53719</i>				<i>W952-5105-6901-00</i>			
JURISDICTION					TEL RES				TEL BUS							
<i>Madison</i>																
ANIMAL	BREED	SEX	AGE	NAME	COLOR/MARKINGS				PHYSICAL FEATURES							
<i>Dog</i>	<i>Great Dane mix</i>	<i>M</i>	<i>A</i>	<i>M</i>	<i>M</i>											
COLLAR ID	RABIES TAG NO.	RABIES VACC. DATE	RABIES EXP. DATE	VACCINATING VET	LIC. NO.											
<i>None</i>	<i>-</i>	<i>M</i>	<i>-</i>	<i>-</i>	<i>per. cited</i>											
<input checked="" type="checkbox"/> CONTACT MADE. ACTION TAKEN <i>✓ cited</i>																
<input checked="" type="checkbox"/> ORDINANCE VIOLATION # <i>23.32(1) A028064</i>																
<input type="checkbox"/> CASE REFERRED TO _____																

**NARRATIVE**

*Per dispatch I responded to 821 S. Gammann rd. a dog at large complaint. Upon arrival I spoke to Williams who stated that one of her dogs had gotten out of the yard earlier. I cited Williams for 23.32(1) and left.*

REPORTING OFFICER <i>Olcott</i>	EMP. NO. <i>3851</i>	REPORT DATE <i>6/14/07</i>	APPROVED BY <i>PC</i>	EMP. NO.	DATE
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Under authority of ordinance WI Stats 95.21(5) you are required to quarantine your pet for a period of ten (10) days.

Your animal shall be quarantined under strict isolation at your home per instructions.

Your animal must be impounded within twenty-four (24) hours of receiving this notice at a veterinary hospital in Dane County.

Other requirements \_\_\_\_\_

IMPOUNDING VET OR EXAMINING VET'S NAME	ADDRESS	PHONE
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**WISCONSIN STATUTE 95.21(5)**  
 An Animal Control Officer shall order the impoundment of any animal reasonably believed to be infected with rabies, or to have been in contact with a rabid animal or to have bitten, scratched or otherwise injured a person in such a way as to break the skin and allow the possible contact of an open wound with the animal's saliva. Any person who refuses or fails to deliver the animal question shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000). Each day such violation continues shall be considered as a separate offense.

**ANIMAL OWNER AGREES TO KEEP PET QUARANTINED AS REQUIRED ABOVE AT ANIMAL OWNER'S EXPENSE AND HAS RECEIVED PHMDC QUARANTINE INSTRUCTION FORM.**

ANIMAL - OWNER'S SIGNATURE/DATE	INVESTIGATING OFFICER'S SIGNATURE/DATE	QUARANTINE CONFIRMATION DATE	ACO INITIAL
NOTICE DATE	QUARANTINE DATE	INTERIM EXAM DATE	RELEASE DATE

**9**



Health - Madison and Dane County  
ANIMAL CONTROL INCIDENT REPORT

City-County Building  
210 Martin Luther King, Jr. Blvd., Room 507  
Madison, WI 53710  
(608) 267-1989

INCIDENT SOCIETY NO. CASE NO.  
07-041665

OFFENSE/INCIDENT	OCCURRED				DISPATCHED				COMPLETED			
	MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME
Dog Bite	4	20	07	17:00	4	20	07	17:30	4	20	07	18:00
ADDRESS OF INCIDENT	CITY/ZIP			JURISDICTION	INJURY DESCRIPTION				PARENT/GUARDIAN			
6906 Schroeder rd	Madison, WI 53711			Madison	laceration to <sup>Lower</sup> leg				C. J. [unclear] [unclear]			
VICTIM (LAST, FIRST, MI)	SEX	RACE	DOB		JURISDICTION				PARENT/GUARDIAN			
Kimble, Amanda M.	F	W	07-08-93		Madison							
TEL RES	TEL BUS	ADDRESS		APT	CITY/STATE/ZIP		ADDRESS (if different)					
262-689-4166		6906 Schroeder rd		26	Madison 53711							
COMPLAINANT	WITNESS (LAST, FIRST, MI)		SEX	RACE	DOB		JURISDICTION		TEL RES			
Same as victim												
ADDRESS	CITY			ZIP			TEL BUS					
ANIMAL OWNER (LAST, FIRST, MI)	SEX	RACE	DOB		AGE	EYES	HAIR	WT	HT			
Williams, Kathy J.	F	W	11-1-56									
ADDRESS	CITY			ZIP			DRIVER'S LICENSE					
821 S. Gammon	Madison			53719			W452-5105-6901-00					
JURISDICTION	TEL RES			TEL BUS								
Madison	470-2005											
ANIMAL	BREED	SEX	AGE	NAME	COLOR/MARKINGS			PHYSICAL FEATURES				
Dog	Chihuahua	F	2y	Xena	Black							
COLLAR	ID	RABIES TAG NO.	RABIES VACC. DATE	RABIES EXP. DATE	VACCINATING VET		LIC. NO.					
pink	yes	1147	12-24-06	10-23-07	Animal Health Cambridge		N/A moving					
CONTACT MADE. ACTION TAKEN <u>ordered home quarantine - gone with instructions</u>												
ORDINANCE VIOLATION #												
CASE REFERRED TO												

**NARRATIVE**

Per dispatch I responded to 6906 Schroeder rd. ref. a dog bite. Upon arrival I spoke to Kimble who stated that she had been walking her dog on leash in front of her apartment building when she saw 3 great danes from 821 S. Gammon walk over their fence and begin to approach her. Kimble picked up her dog and was soon cornered up against her building by the 3 great danes. While the dogs barked and lunged at her, her own dog was struggling to escape and bit her on her chin. The 3 dogs were called back to 821 S. Gammon and Kimble returned.

REPORTING OFFICER	EMP. NO.	REPORT DATE	APPROVED BY	EMP. NO.	DATE
O'Leary	3851	4/21/07			

Under authority of ordinance WI Stats 95.21(5) you are required to quarantine your pet for a period of ten (10) days.

Your animal shall be quarantined under strict isolation at your home per instructions.

Your animal must be impounded within twenty-four (24) hours of receiving this notice at a veterinary hospital in Dane County.

Other requirements

IMPOUNDING VET OR EXAMINING VET'S NAME	ADDRESS	PHONE
Animal Health Clinic Cambridge		423-7600

**VISCONSIN STATUTE 95.21(5)**

An Animal Control Officer shall order the impoundment of any animal reasonably believed to be infected with rabies, or to have been in contact with a rabid animal or to have bitten, scratched or otherwise injured a person in such a way as to break the skin and allow the possible contact of an open wound with the animal's saliva. Any person who refuses or fails to deliver the animal question shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000). Each day such violation continues shall be considered as a separate offense.

**ANIMAL OWNER AGREES TO KEEP PET QUARANTINED AS REQUIRED ABOVE AT ANIMAL OWNER'S EXPENSE AND HAS RECEIVED PHMDC QUARANTINE INSTRUCTION FORM.**

ANIMAL - OWNER'S SIGNATURE/DATE	INVESTIGATING OFFICER'S SIGNATURE/DATE	QUARANTINE CONFIRMATION DATE	ACO INITIAL
	[Signature]	4-20-07	[Initials]
NOTICE DATE	QUARANTINE DATE	INTERIM EXAM DATE	RELEASE DATE
4-20-07	4-20-07		

home. T ordered a home quarantine and gave Kimble written instructions. T then responded to 821 S. Gammam and cited Williams for 23.32(1) X3 and 23.35 due to the bite that occurred resulting from his dogs' aggressive behavior.

IVBV

Public Health - Madison and Dane County  
ANIMAL CONTROL INCIDENT REPORT

City-County Building  
210 Martin Luther King, Jr. Blvd., Room 507  
Madison, WI 53710  
(608) 267-1989

JMANS SOCIETY NO.

CASE NO.

07-040713

INCIDENT	OCCURRED				DISPATCHED				COMPLETED			
	MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME
Dog Bite	4	16	07	20:00	4	18	07	12:00	4	19	07	16:10
ADDRESS OF INCIDENT		CITY/ZIP		JURISDICTION		INJURY DESCRIPTION						
869 W 25295 Logview Dr. Waukesha		53189		Waukesha		@ am superficial abrasions (multiple)						
VICTIM (LAST, FIRST, MI)			SEX	RACE	DOB	JURISDICTION			PARENT/GUARDIAN			
Same as complainant			-	-	-	-			-			
TEL RES		TEL BUS		ADDRESS		APT		CITY/STATE/ZIP		ADDRESS (if different)		
-		-		-		-		-		-		

<input checked="" type="checkbox"/> COMPLAINANT		<input type="checkbox"/> WITNESS (LAST, FIRST, MI)		SEX	RACE	DOB	JURISDICTION		TEL RES	
Polack Robert A.		-		M	-	9-1-39	-		362-662-4238	
ADDRESS		CITY		ZIP		TEL BUS				
869 W 25295 Logview Dr. Waukesha		Waukesha		53189		Hospital: Gordon - Brodsky & Med. Assoc. Urgent Care 362-2000				
ANIMAL OWNER (LAST, FIRST, MI)			SEX	RACE	DOB	AGE	EYES	HAIR	WT	HT
Williams, Kathy J.			F	-	11-1-56					200 lbs 5'3"
ADDRESS		CITY		ZIP		DRIVER'S LICENSE				
821 S Jammon Rd Madison		Madison		53719		W452-5105-6901-00 710				
JURISDICTION				TEL RES		TEL BUS				
Madison				770-2005		-				
ANIMAL	BREED	SEX	AGE	NAME	COLOR/MARKINGS			PHYSICAL FEATURES		
Dog	Great Dane	M	4m	Just v	Blk + white			-		
COLLAR	ID	RABIES TAG NO.	RABIES VACC. DATE	RABIES EXP. DATE	VACCINATING VET		LIC. NO.			
none	-	none	-	-	-		N/A age			

CONTACT MADE. ACTION TAKEN Posted quar instructions

ORDINANCE VIOLATION # \_\_\_\_\_

CASE REFERRED TO \_\_\_\_\_

**NARRATIVE**

Per dispatch I called Polack who stated that he brought a dog from Kathy Williams and was bitten by the dog after he got it to his home in Waukesha. Polack stated that the dog bit him after he tried to free it from a leash it was tangled up in. After the bite, Polack returned the dog to Williams and went to urgent care.

On 4-18-07 I responded to 821 S. Jammon rd and spoke to Williams's son who stated she was not home. I left home and vet quar. instructions and told him to have Williams call us as soon as she returned. He stated that he would add that she should be home soon because someone was coming to buy a dog. I told him to make sure that the bitten dog was not sold because it is under quarantine.

REPORTING OFFICER	EMP. NO.	REPORT DATE	APPROVED BY	EMP. NO.	DATE
O'Loft	3851	4-18-07	PC		

Under authority of ordinance WI Stats 95.21(5) you are required to quarantine your pet for a period of ten (10) days.

Your animal shall be quarantined under strict isolation at your home per instructions.

Your animal must be impounded within twenty-four (24) hours of receiving this notice at a veterinary hospital in Dane County.

Other requirements \_\_\_\_\_

OK  
4/25/07

IMPOUNDING VET OR EXAMINING VET'S NAME	ADDRESS	PHONE
Fitchburg		271-4212

**WISCONSIN STATUTE 95.21(5)**

An Animal Control Officer shall order the impoundment of any animal reasonably believed to be infect with rabies, or to have been in contact with a rabid animal or to have bitten, scratched or otherwise injured a person in such a way as to break the skin and allow the possible contact of an open wound with the animal's saliva. Any person who refuses or fails to deliver the animal question shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000). Each day such violation continues shall be considered as a separate offense.

**ANIMAL OWNER AGREES TO KEEP PET QUARANTINED AS REQUIRED ABOVE AT ANIMAL OWNER'S EXPENSE AND HAS RECEIVED PHMDC QUARANTINE INSTRUCTION FORM.**

ANIMAL - OWNER'S SIGNATURE/DATE	INVESTIGATING OFFICER'S SIGNATURE/DATE	QUARANTINE CONFIRMATION DATE	ACO INITIAL
<i>[Signature]</i>	<i>[Signature]</i>	4-20-07	SO

NOTICE DATE	QUARANTINE DATE	INTERIM EXAM DATE	RELEASE DATE
4-19-07	4-19-07		will be done 4/25/07 4/25/07

continued

On 4-29-07 Williams called me and stated that she received the information I left. She also stated that "Dusty" is not current on his rabies shot. I told her that the dog needed to stay at the vet until 4-25-07. She said she would improve him at Fitchburg animal hospital today.

continued, next page

Madison Department of Public Health  
**ANIMAL CONTROL INCIDENT REPORT**

210 Martin Luther King, Room 507  
 Madison, WI 53703  
 (608) 266-4821

HOMERULE SOCIETY NO.

CASE NO.

142

~~07-002022~~

INCIDENT	OFFENSE/INCIDENT <b>Dog Bite</b>				OCCURRED				NOTICED				COMPLETED			
	MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME				
	1	1	07	2200	1	6	07	1530	1	6	07	1630				
VICTIM	ADDRESS OF INCIDENT <b>821 S. Gammon Rd.</b>				INJURY DESCRIPTION <b>punct. betw thumb + finger (unverified)</b>											
	VICTIM (LAST, FIRST, M.I.) <b>Hill, Jacob A.</b>				SEX	RACE	D.O.B.	EMPLOYMENT/SCHOOL/GRADE		PARENT/GUARDIAN						
ELEM	T RES	BUS	ADDRESS		APT	CITY/STATE/ZIP		ADDRESS (if different)								
	<b>234-0256</b>		<b>6906 Schroeder Rd</b>		<b>22</b>	<b>53911</b>										
<input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS				SEX	RACE	D.O.B.	EMPLOYMENT/SCHOOL/GRADE									
ADDRESS				ZIP CODE	APT	T RES	BUS									
ANIMAL OWNER				SEX	RACE	D.O.B.	AGE	EYES	HAIR	WT	HT					
<b>Williams, Kathy</b>				<b>F</b>	<b>W</b>	<b>11/1/56</b>										
ADDRESS				ZIP CODE	APT	T RES	BUS		EMPLOYMENT/SCHOOL/GRADE							
<b>821 S. Gammon Rd.</b>				<b>53717</b>		<b>770-2005</b>										
ANIMAL	BREED	SEX	AGE	NAME	COLOR/MARKINGS			PHYSICAL FEATURES								
<b>Dog</b>	<b>Great Dane</b>	<b>M</b>	<b>A</b>	<b>Chase</b>	<b>Fawn</b>											
COLLAR	I.D.	RABIES TAG NO.	RABIES VACC. DATE	RABIES EXP. DATE	VACCINATING VET			LIC. NO.								
					<b>New Status</b>											
<input type="checkbox"/> CONTACT MADE. ACTION TAKEN <u>ordered 2 visits</u> <input type="checkbox"/> ORDINANCE VIOLATION # _____ <input type="checkbox"/> CASE REFERRED TO _____ <input type="checkbox"/> FOLLOW-UP NEEDED _____																

**NARRATIVE**

Per dispatch I phoned Jacob Hill. He said that on 1/1/07, he put his hand through the fence at 821 S. Gammon to pet one of the dogs, and it bit him. He said he is currently in Portland, OR. I asked if he bled from the injury, and he said "No not really". I asked if he had sought treatment and he said no. I told him if the bite didn't break skin we didn't need to quarantine the dog. He said O.K. and hung up. My phone rang a few minutes later, and it was his neighbor Roberta, who sounded very upset and she was very worried her son would get rabies. I told her he is an adult, he told me it didn't break skin, and the injury wasn't reported by

REPORTING OFFICER <b>L. Juday</b>	EMP. NO. <b>3308</b>	REPORT DATE <b>1/6/07</b>	APPROVED BY <b>PC</b>	EMP. NO.	DATE
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Under authority of ordinance 23.33(4) you are required to quarantine your pet for a period of ten (10) days.

Your animal shall be quarantined under strict isolation at your home per instructions

Your animal must be impounded within twenty-four (24) hours of receiving this notice at a veterinary hospital in Dane County.

Other requirements \_\_\_\_\_

IMPOUNDING VET OR EXAMINING VET'S NAME <b>Fitchburg</b>	ADDRESS	PHONE <b>271-4212</b>
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**MADISON GENERAL ORDINANCE 23.33(4)**

An Animal Control Officer shall order the impoundment of any animal reasonably believed to be infected with rabies, or to have been in contact with a rabid animal or to have bitten, scratched or otherwise injured a person in such a way as to break the skin and allow the possible contact of an open wound with the animal's saliva. Any person who refuses or fails to deliver the animal in question shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Each day such violation continues shall be considered as a separate offense.

**ANIMAL OWNER AGREES TO KEEP PET QUARANTINED AS REQUIRED ABOVE AT ANIMAL OWNER'S EXPENSE AND HAS RECEIVED MDPH QUARANTINE INSTRUCTION FORM**

ANIMAL OWNER'S SIGNATURE/DATE <b>[Signature] 1/6/08</b>	INVESTIGATING OFFICER'S SIGNATURE/DATE <b>[Signature] 1/8/07</b>	QUARANTINE CONFIRMATION DATE <b>1/8/07</b>	ACO INITIAL <b>LJ</b>
NOTICE DATE <b>1/6/08</b>	QUARANTINE DATE <b>1/8/07</b>	INTERIM EXAM DATE <b>[Signature]</b>	RELEASE DATE <b>1-19-08</b>

any better care papers. She said it did break the skin, and there was a scab there.

Upon questioning, Hill said there were 3 dogs in the yard at the time, and the one that bit was an adult fawn colored dog.

I went and met Williams at her residence, and observed all dogs in the basement. There was a strong odor of ammonia in the ~~basement~~ <sup>house</sup>, but ~~she~~ I did not see any urine or feces present. There were 7 adult dogs and 4 four-month-old pups. I explained the bite and circumstances to Williams. She said due to the victim's description of the # of dogs outside together, she could be sure that Chase or Scarlet were the only fawn-colored dogs out at the time. I asked her to take both dogs in for two visits. She said she would comply, and I issued written quarantine instructions. Both dogs are current on vacc. Williams has been previously cited for license and said she is going to get licenses for all the dogs this week.

OFFENSE/INCIDENT <i>Dog at large</i>		OCCURRED				DISPATCHED				COMPLETED				
		MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME	
		3	14	07	12:10	3	14	07	15:25	3	14	07	16:30	
ADDRESS OF INCIDENT <i>6906 Schroeder rd</i>		INJURY DESCRIPTION <i>none</i>												
VICTIM (LAST, FIRST, M.I.)		SEX	RACE	D.O.B.		EMPLOYMENT/SCHOOL/GRADE				PARENT/GUARDIAN				
T RES	BUS	ADDRESS				APT	CITY/STATE/ZIP				ADDRESS (if different)			
<input checked="" type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS		SEX	RACE	D.O.B.		EMPLOYMENT/SCHOOL/GRADE								
<i>Storch, Suzanne o.m.e</i>		F		<i>white</i>										
ADDRESS <i>6906 Schroeder rd.</i>		ZIP CODE <i>53711</i>		APT	T RES	BUS								
					<i>271-6922</i>									
ANIMAL OWNER		SEX	RACE	D.O.B.		AGE	EYES	HAIR	WT	HT				
<i>Williams, Kathy J.</i>		F	W	<i>11-1-56</i>										
ADDRESS <i>821 S. Gammon rd.</i>		ZIP CODE <i>53719</i>		APT	T RES	BUS				EMPLOYMENT/SCHOOL/GRADE				
					<i>white</i>									
ANIMAL	BREED	SEX	AGE	NAME		COLOR/MARKINGS				PHYSICAL FEATURES				
<i>Dog</i>	<i>great dane</i>	<i>M</i>	<i>YA</i>	<i>Rufus</i>		<i>Fawn</i>								
COLLAR	NO.	RABIES TAG NO.	RABIES VACC. DATE	RABIES EXP. DATE	VACCINATING VET				LIC. NO.					
<i>ne</i>		<i>none</i>							<i>N/A age</i>					

CONTACT MADE. ACTION TAKEN *cited 0*

ORDINANCE VIOLATION # *23.32(1) N 789915*

CASE REFERRED TO \_\_\_\_\_

FOLLOW-UP NEEDED \_\_\_\_\_

*Per dispatch I called Storch re a dog at large complaint. Storch stated that William's dog was running at large inside 6906 Schroeder for 15-20 minutes before Williams was able to contain the dog. I then responded to 821 S. Gammon rd and met with Williams who admitted that "Rufus" had escaped. I cited her for 23.32(1) and left.*

REPORTING OFFICER <i>Olcott</i>	EMP. NO. <i>3851</i>	REPORT DATE <i>3/15/07</i>	APPROVED BY <i>PC</i>	EMP. NO.	DATE
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Under authority of ordinance 23.33(4) you are required to quarantine your pet for a period of ten (10) days.

Your animal shall be quarantined under strict isolation at your home per instructions

Your animal must be impounded within twenty-four (24) hours of receiving this notice at a veterinary hospital in Dane County.

Other requirements \_\_\_\_\_

IMPOUNDING VET OR EXAMINING VET'S NAME	ADDRESS	PHONE
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**MADISON GENERAL ORDINANCE 23.33(4)**

An Animal Control Officer shall order the impoundment of any animal reasonably believed to be infected with rabies, or to have been in contact with a rabid animal or to have bitten, scratched or otherwise injured a person in such a way as to break the skin and allow the possible contact of an open wound with the animal's saliva. Any person who refuses or fails to deliver the animal in question shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Each day such violation continues shall be considered as a separate offense.

**ANIMAL OWNER AGREES TO KEEP PET QUARANTINED AS REQUIRED ABOVE AT ANIMAL OWNER'S EXPENSE AND HAS RECEIVED MDPH QUARANTINE INSTRUCTION FORM.**

ANIMAL OWNER'S SIGNATURE/DATE	INVESTIGATING OFFICER'S SIGNATURE/DATE	QUARANTINE CONFIRMATION DATE	ACO INITIAL
NOTICE DATE	QUARANTINE DATE	INTERIM EXAM DATE	RELEASE DATE

OFFENSE/INCIDENT		OCCURRED				DISPATCHED				COMPLETED				
Dog at Large		MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME	
6906 Schroeder rd		3	5	07	10:00	3	6	7	11:00	3	6	07	11:52	
ADDRESS OF INCIDENT		INJURY DESCRIPTION				EMPLOYMENT/SCHOOL/GRADE				PARENT/GUARDIAN				
6906 Schroeder rd		none												
VICTIM (LAST, FIRST, M.I.)		SEX	RACE	D.O.B.		EMPLOYMENT/SCHOOL/GRADE				PARENT/GUARDIAN				
T. RES.	BUS	ADDRESS				APT	CITY/STATE/ZIP				ADDRESS (if different)			
COMPLAINANT <input type="checkbox"/> WITNESS		SEX	RACE	D.O.B.		EMPLOYMENT/SCHOOL/GRADE								
Halverson, Laurie U.M.T.		F	-	-										
ADDRESS		ZIP CODE	APT	T RES		BUS								
6906 Schroeder rd		53711	-	-		273-8662								
ANIMAL OWNER(S)		SEX	RACE	D.O.B.		AGE	EYES	HAIR	WT	HT				
Williams, Kathy J.		F	W	11-1-56										
ADDRESS		ZIP CODE	APT	T RES		BUS				EMPLOYMENT/SCHOOL/GRADE				
821 South Gammon rd		53719	-	-										

ANIMAL	BREED	SEX	AGE	NAME	COLOR/MARKINGS				PHYSICAL FEATURES			
Dog	Great dane	M	YA	MANN	Fawn							
COLLAR	T.D.	RABIES TAG NO.	RABIES VACC. DATE	RABIES EXP. DATE	VACCINATING VET				LIC. NO.			
none	-	unk	-	-	-				N/A sold			

CONTACT MADE. ACTION TAKEN *Spoke to 0*

ORDINANCE VIOLATION # *23-32(1) A013107*

CASE REFERRED TO \_\_\_\_\_

FOLLOW-UP NEEDED \_\_\_\_\_

*Per voicemail to called Halverson re: a dog at large complaint. Halverson stated that she was showing an apartment at 6906 Schroeder rd when two of Williams's dog ran past her. After talking to Halverson I responded to Williams home. Williams stated that her fence is down and two of her younger dogs got out yesterday. I cited her for 23.32(1) for each dog and left.*

REPORTING OFFICER	EMP. NO.	REPORT DATE	APPROVED BY	EMP. NO.	DATE
<i>Olcott</i>	<i>3851</i>	<i>3-6-07</i>	<i>PC</i>		

Under authority of ordinance 23.33(4) you are required to quarantine your pet for a period of ten (10) days.

Your animal shall be quarantined under strict isolation at your home per instructions

Your animal must be impounded within twenty-four (24) hours of receiving this notice at a veterinary hospital in Dane County.

Other requirements \_\_\_\_\_

IMPOUNDING VET OR EXAMINING VET'S NAME	ADDRESS	PHONE

**MADISON GENERAL ORDINANCE 23.33(4)**

An Animal Control Officer shall order the impoundment of any animal reasonably believed to be infected with rabies, or to have been in contact with a rabid animal or to have bitten, scratched or otherwise injured a person in such a way as to break the skin and allow the possible contact of an open wound with the animal's saliva. Any person who refuses or fails to deliver the animal in question shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Each day such violation continues shall be considered as a separate offense.

**ANIMAL OWNER AGREES TO KEEP PET QUARANTINED AS REQUIRED ABOVE AT ANIMAL OWNER'S EXPENSE AND HAS RECEIVED IMPROPER QUARANTINE INSTRUCTION FORM.**

ANIMAL OWNER'S SIGNATURE/DATE	INVESTIGATING OFFICER'S SIGNATURE/DATE	QUARANTINE CONFIRMATION DATE	ACO INITIAL
NOTICE DATE	QUARANTINE DATE	INTERIM EXAM DATE	RELEASE DATE



# ANIMAL CONTROL INCIDENT REPORT

MADISON, WI 53706  
(608) 266-4821

27 2087 ~~2087~~

INCIDENT	OFFENSE/INCIDENT				OCCURRED				ATTACHED				COMPLETED			
	Dog at Large				MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME
ADDRESS OF INCIDENT				APT	INJURY DESCRIPTION											
6906 Schroeder rd.				-	NONE											
VICTIM	VICTIM (LAST, FIRST, M.I.)				SEX	RACE	D.O.B.		EMPLOYMENT/SCHOOL/GRADE				PARENT/GUARDIAN			
	T RES	BUS	ADDRESS		APT	CITY/STATE/ZIP				ADDRESS (if different)						
COMPLAINANT <input type="checkbox"/> WITNESS <input type="checkbox"/>				"Country Meadows Apartments"				SEX	RACE	D.O.B.		EMPLOYMENT/SCHOOL/GRADE				
Country Meadows Apartments				F				-		-						
ADDRESS				ZIP CODE	APT	T RES	BUS		-							
6906 Schroeder rd.				53719	-	E	-		273-8662							
ANIMAL OWNER				SEX	RACE	D.O.B.		AGE	EYES	HAIR	WT	HT				
W. Williams, Kathy L.				F	W	11-1-56										
ADDRESS				ZIP CODE	APT	T RES	BUS		EMPLOYMENT/SCHOOL/GRADE							
821 S. Gannon rd.				53719	-	E	only		-							
ANIMAL	BREED	SEX	AGE	NAME	COLOR/MARKINGS				PHYSICAL FEATURES							
Dog	great dane	F	5m	Allie	Fawn											
COLLAR	I.D.	RABIES TAG NO.	RABIES VACC. DATE	RABIES EXP. DATE	VACCINATING VET				LIC. NO.							
none	none	none	-	-	-				N/A dog							
<input checked="" type="checkbox"/> CONTACT MADE. ACTION TAKEN <u>spoke to</u>																
<input checked="" type="checkbox"/> ORDINANCE VIOLATION # <u>23.32(1) A013104</u>																
<input type="checkbox"/> CASE REFERRED TO _____																
<input type="checkbox"/> FOLLOW-UP NEEDED _____																

**NARRATIVE**

Per dispatch I called Cathy at Country Meadows Apts. re: a dog at large complaint. Cathy stated that one of her employees saw one of W. Williams' dogs outside her fence and off-property this morning. She also stated that it appeared that the dog's ears were injured. I then responded to 821 S. Gannon and spoke to W. Williams. Williams admitted that her dog "Allie" escaped somehow this morning. I then saw "Allie" and had Williams remove the dog's ear tape. "Allie's" ears appeared fine, the tape had just gotten dirty over time. Williams stated that she would retape the dog's ears with clean tape. I wrote Williams a citation for 23.32(1) and left.

REPORTING OFFICER	EMP. NO.	REPORT DATE	APPROVED BY	EMP. NO.	DATE
W. Cott	3851	2/16/07	PC		

Under authority of ordinance 23.33(4) you are required to quarantine your pet for a period of ten (10) days.

Your animal shall be quarantined under strict isolation at your home per instructions

Your animal must be impounded within twenty-four (24) hours of receiving this notice at a veterinary hospital in Dane County.

Other requirements \_\_\_\_\_

IMPOUNDING VET OR EXAMINING VET'S NAME	ADDRESS	PHONE

**MADISON GENERAL ORDINANCE 23.33(4)**

An Animal Control Officer shall order the impoundment of any animal reasonably believed to be infected with rabies, or to have been in contact with a rabid animal or to have bitten, scratched or otherwise injured a person in such a way as to break the skin and allow the possible contact of an open wound with the animal's saliva. Any person who refuses or fails to deliver the animal in question shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Each day such violation continues shall be considered as a separate offense.

**ANIMAL OWNER AGREES TO KEEP PET QUARANTINED AS REQUIRED ABOVE AT ANIMAL OWNER'S EXPENSE AND HAS RECEIVED MDPH QUARANTINE INSTRUCTION FORM**

ANIMAL OWNER'S SIGNATURE/DATE	INVESTIGATING OFFICER'S SIGNATURE/DATE	QUARANTINE CONFIRMATION DATE	ACO INITIAL
NOTICE DATE	QUARANTINE DATE	INTERIM EXAM DATE	RELEASE DATE

Madison Department of Public Health  
**ANIMAL CONTROL INCIDENT REPORT**

210 Martin Luther King, Room 507  
 Madison, WI 53703  
 (608) 266-4821

MEMBER SOCIETY NO.

CASE NO.

06-085179

INCIDENT	OFFENSE/INCIDENT <i>Feces Accumulation</i>				OCCURRED				DISPATCHED				COMPLETED			
	MO	DAY	YR	TIME	MO	DAY	YR	TIME	MO	DAY	YR	TIME				
VICTIM	ADDRESS OF INCIDENT <i>821 S. Gammon rd.</i>				INJURY DESCRIPTION <i>None</i>											
	VICTIM (LAST, FIRST, M.I.)				SEX	RACE	D.O.B.		EMPLOYMENT/SCHOOL/GRADE				PARENT/GUARDIAN			
ELEMENT	T RES	BUS		ADDRESS				APT	CITY/STATE/ZIP				ADDRESS (if different)			
	<input checked="" type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS				SEX	RACE	D.O.B.		EMPLOYMENT/SCHOOL/GRADE							
ADDRESS <i>Anonymous</i>				ZIP CODE	APT	T RES	BUS									
ANIMAL OWNER <i>Williams, Kathy J.</i>				SEX	RACE	D.O.B.		AGE	EYES	HAIR	WT	HT				
ADDRESS <i>821 S. Gammon rd</i>				ZIP CODE <i>53719</i>	APT	T RES	BUS				EMPLOYMENT/SCHOOL/GRADE					
ANIMAL	BREED	SEX	AGE	NAME		COLOR/MARKINGS				PHYSICAL FEATURES						
<i>Dog</i>	<i>Great Dane</i>	<i>F</i>	<i>A</i>	<i>Alex</i>		<i>Fawn</i>										
COLLAR	ID.	RABIES TAG NO.	RABIES VACC. DATE	RABIES EXP. DATE	VACCINATING VET				LIC. NO.							
<i>None</i>	<i>None</i>	<i>None</i>	<i>None</i>	<i>None</i>	<i>None</i>				<i>Prov. cited</i>							
<input checked="" type="checkbox"/> CONTACT MADE. ACTION TAKEN <i>Spoke to Williams</i>																
<input checked="" type="checkbox"/> ORDINANCE VIOLATION # <i>7.37(8) unfounded</i>																
<input type="checkbox"/> CASE REFERRED TO																
<input type="checkbox"/> FOLLOW-UP NEEDED																

*Per voicemail I called the complainant re a feces complaint. The complainant stated that Williams had an accumulation of feces in her back yard and the odor was bothering people in neighboring apartments. I then responded to 821 S. Gammon and met with Williams. Together we went to the large backyard where I found only 3 fresh piles of feces which Williams removed. I told Williams that the complaint was unfounded for now and if she continued to keep the yard this clean we should not have any future problems.*

REPORTING OFFICER <i>Olcott</i>	EMP. NO. <i>3851</i>	REPORT DATE <i>7/20/06</i>	APPROVED BY <i>Pe</i>	EMP. NO.	DATE
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Under authority of ordinance 23.33(4) you are required to quarantine your pet for a period of ten (10) days.

Your animal shall be quarantined under strict isolation at your home per instructions

Your animal must be impounded within twenty-four (24) hours of receiving this notice at a veterinary hospital in Dane County.

Other requirements

IMPOUNDING VET OR EXAMINING VET'S NAME ADDRESS PHONE

**MADISON GENERAL ORDINANCE 23.33(4)**

An Animal Control Officer shall order the impoundment of any animal reasonably believed to be infected with rabies, or to have been in contact with a rabid animal or to have bitten, scratched or otherwise injured a person in such a way as to break the skin and allow the possible contact of an open wound with the animal's saliva. Any person who refuses or fails to deliver the animal in question shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Each day such violation continues shall be considered as a separate offense.

**ANIMAL OWNER AGREES TO KEEP PET QUARANTINED AS REQUIRED ABOVE AT ANIMAL OWNER'S EXPENSE AND HAS RECEIVED MDPH QUARANTINE INSTRUCTION FORM.**

ANIMAL OWNER'S SIGNATURE/DATE	INVESTIGATING OFFICER'S SIGNATURE/DATE	QUARANTINE CONFIRMATION DATE	ACO INITIAL <i>9</i>
NOTICE DATE	QUARANTINE DATE	INTERIM EXAM DATE	RELEASE DATE

MOHS, MACDONALD, WIDDER & PARADISE

ATTORNEYS AT LAW

20 N. CARROLL STREET

MADISON, WISCONSIN 53703

FREDERIC E. MOHS  
DANIEL A. MACDONALD  
THEODORE C. WIDDER III  
GREGORY J. PARADISE  
JOHN W. VAN NOTE

608-256-1978  
FAX 608-257-1106

July 20, 2007

Mr. Brad Murphy  
City of Madison  
Planning & Development  
215 Martin Luther King, Jr. Blvd.  
Madison, WI 53703

RE: Rezoning of 821 Gammon Road

Dear Brad:

By this time I propose you have heard that the SW Neighborhood Steering Committee met on the evening of July 19<sup>th</sup> and took up the subject of the possible rezoning of 821 Gammon Road. After some discussion, the members voted to preserve the current zoning map description which is medium density residential. One member, Lisa Subeck, voted no. I believe that very shortly you will be hearing from the Greentree Neighborhood Association who will be indicating that they do not support the rezoning and in addition, are very concerned about the proposed driveway situation. Although, I do not know exactly what they will decide, I think you will also hear something similar from the High Point Neighborhood Association.

The driveway issue is not insignificant. I stopped to pick up one of our managers at Country Meadows in order to go to the Neighborhood Steering Committee Meeting at 6:30 p.m., Thursday, July 19<sup>th</sup>. In order to make a left turn from the Country Meadows' driveway onto Gammon Road, we had to wait about five minutes for a traffic opening. Although 6:30 p.m. is not exactly maximum rush-hour traffic, watching what was going on, I thought of how difficult and dangerous turning into proposed driveways would be.

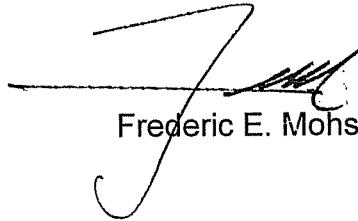
What has emerged from my meetings with neighbors is that they totally sympathize with our residents and can understand how the driveway and parking lot would result in a serious deterioration of their environment. They also understand that people should be able to rely on zoning. On the other hand, they are desperate not to have any more rental housing in their neighborhood because of what has happened to what they already have with the exception of Country Meadows and a couple of other properties. They do not even want a four-unit. They are worried that the corner has a high value and that somehow or other the City will have to give some type of zoning to the owner so that he can exploit the value that they feel the property has. I think they

are a little afraid that an owner who would have the terrible tenants and poor maintenance that he has already demonstrated will somehow get zoning for some type of residential property that will drive them crazy.

We are perfectly willing to have discussions as to what might be appropriate on the site, and in the meantime, if the owner will agree to paint his property and rent to a cooperative tenant, we will have our landscaping contractor put in a new lawn for him. This is not as selfless as it sounds. We would like our residents to be able to look over something more attractive than the desert that now exists there.

Sincerely,

Mohs, MacDonald, Widder & Paradise



Frederic E. Mohs

FEM: eel

MOHS, MACDONALD, WIDDER & PARADISE

ATTORNEYS AT LAW

20 N. CARROLL STREET

MADISON, WISCONSIN 53703

FREDERIC E. MOHS  
DANIEL A. MACDONALD  
THEODORE C. WIDDER III  
GREGORY J. PARADISE  
JOHN W. VAN NOTE

608-256-1978  
FAX 608-257-1106

July 23, 2007

**Via Hand Delivery**

Mr. Brad Murphy  
City of Madison  
Planning & Development  
215 Martin Luther King, Jr. Blvd.  
Madison, WI 53703

RE: Rezoning of 821 S. Gammon Road

Dear Brad:

These letters are coming fast and the furious. Jed Sanborn called on Saturday morning and said that the developers might wish to have a meeting with the residents of Country Meadows. He has mentioned that he would be going to you for a list of addresses. I want to offer that we will help him do that. Kathy Bastine, at our office, or any of the other managers will be happy to furnish the developers with what they need so that they can send out the required post cards.

Jed also raised some concerns about the vote taken at the Southwest Planning Meeting on Thursday night. To begin with, the only reason I went to the Southwest Planning Meeting was to deliver packages to Nancy Priegel from the Green Tree Neighborhood Association and Lisa Subeck, from the Woodhill Condominiums. Nancy had told me they would both be there. When Sandra Shunk, one of our managers and I arrived, we were asked to identify ourselves and tell about our interest. I explained what our interest was in the rezoning and a long and interesting conversation among the members of the planning group ensued. A vote was taken, and then a good deal of discussion about the vote was taken. Ultimately, Lisa Subeck identified herself as someone who had voted "no," all of the other people had voted "yes" or possibly abstained.

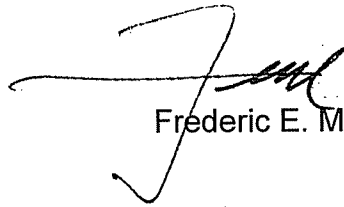
Jed mentioned to me that the developers were not able to be there. I would like to point out that I didn't expect to have a vote when I went there either, but it just evolved as a natural result of the discussion of safety and deportment in the neighborhood. There was a good deal of discussion about what makes a good property and what management techniques and conditions are important for successful multi-family living. At any rate, in that all of the neighborhood meetings prior to that without

us, I do not think it is totally unfair that the planning group proceeded without hearing from the developers since most of them had already heard about the project from the developers before at the neighborhood associations. Additionally, this was our one and only chance to appear before that group even though it was unexpected. Needless to say, I will leave it to you to make whatever you will of the planning groups vote.

I have enclosed a copy of my instructions to our managers and a copy of a proposed communication that we will send to our own residents regarding the upcoming meeting so that you can further understand our point of view.

Sincerely,

Mohs, MacDonald, Widder & Paradise



Frederic E. Mohs

FEM: eel

Enclosure

Cc: Alderman Jed Sanborn  
Dave Phillips  
Nancy Priegle  
Lisa Subeck

P.S. We have heard that there is a Park Ridge Neighborhood Association, but to this date we have not been able to find anyone who knows who the contact people are. If you can help us with that, that would be great.

MOHS, MACDONALD, WIDDER & PARADISE  
ATTORNEYS AT LAW

20 N. CARROLL STREET  
MADISON, WISCONSIN 53703

FREDERIC E. MOHS  
DANIEL A. MACDONALD  
THEODORE C. WIDDER III  
GREGORY J. PARADISE  
JOHN W. VAN NOTE

608-256-1978  
FAX 608-257-1106

July 23, 2007

Via Facsimile

Ms. Kathy Bastien  
Country Meadow Apartments  
6840 Schroeder Road  
Madison, WI 53711  
Fax: (608) 273-8712

RE: Rezoning of 821 Gammon Road

Dear Kathy:

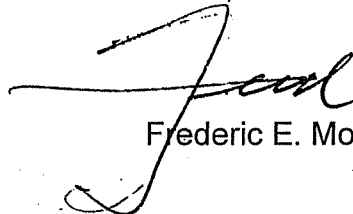
Attached is a sample letter that we should put on our stationary, signed by you, to be delivered to each resident. The developers think they want to have a meeting with out residents so they can explain their proposal and hopefully gain support. That is fine with me. We should be very careful to be fair with our residents so that they do not feel that we are pressuring them. I talked with Jed Sanborn Saturday morning and he told me that they feel that our residents may feel pressured to sign the petition. I know you haven't tried to do that because we have talked about that, but I want to reemphasize that that this is a free country, and attempts to influence people against what they really want to do usually backfire, so this is just one more caution.

I have told Jed that we will cooperate with the meeting plan by giving him all of the addresses or names, if he needs them, of our residents so that he can efficiently deliver postcards telling people about the meeting.

I am also enclosing a copy of my letter to the Plan Department because I am furnishing them with our draft letter to residents as well.

Sincerely,

Mohs, MacDonald, Widder & Paradise

  
Frederic E. Mohs

FEM: eel  
Enclosure  
Cc: Mr. Nathan F. Brand  
Mr. Nathan S. Brand

July 23, 2007

Residents of Country Meadow Apartments

RE: Rezoning to Commercial Use of 821 S. Gammon Road

Dear Resident:

Many of you have already signed the petition opposing the rezoning which would permit a commercial laundry drycleaner and other retail with a driveway with entrances on both Gammon Road and Schroeder Road. There would be a parking lot immediately adjacent to Country Meadows Apartments. The developers of the project will be contacting you with an invitation to go to a meeting so that they can attempt to convince you that their project would be a good one for the neighborhood and for us. We encourage you to go to the meeting, although we hope that you will vote to oppose the rezoning. If, however, you are convinced that the project is a good one, we want to assure you that there will be no repercussions against you for expressing an opinion opposite to ours.

While many of the neighbors in the surrounding single-family neighborhoods support our position, some people do not. The argument basically is between people who see the project from outside of Country Meadows and those of us who live here. From the outside people have looked at the once very nice single-family house that was rented to the terrible dog lady (now gone), and those of us who are interested in Country Meadows as a quality living environment and who do not want to have a commercial driveway and parking lot within only a few feet of some of our residents patios, balconies, and windows.

People who support the rezoning think that the house, in its current condition (one paint job, lawn restoration, and good tenant away from being okay) would be an improvement. From their point of view as someone driving by, that is understandable. However, from inside Country Meadows, and particularly as the resident of an apartment close to the project, the view is much different.

All of us know that a commercial parking lot is much different than a residential parking lot. To be sure bad things can happen in a residential parking lot, but for the most part, residents, and particularly Country Meadows residents, are courteous and aware of creating any disturbance in the parking lot that would disappoint their



neighbors. All of us know that a commercial parking lot is different. To beginning with, there is a great deal more traffic, starting of engines, opening and closing of doors and trunks, and the kind of talking and noise making that people in commercial parking lots feel comfortable doing because frankly, they are not disturbing anybody. This is the fundamental dispute. The proponents, while recognizing that living next to a commercial parking lot is nothing they would personally like to do, their desire to own or to drive by a new commercial building is more important to them. As one of them said, "well if the former Kwik-Trip, now Kelly Williamson Service Station noise is okay, what is the difference with having a parking lot right next door to your property. These people just have not lived in a multi-family apartment recently. They do not understand the difference between noise hundreds of feet away and noise right underneath someone's window.

When you receive notice of the meeting, I hope you will come and listen and if you wish, feel free to speak and do not worry about disappointing us. It is a free country.

Sincerely,

Kathy Bastine

913 Laurie Drive  
Madison, WI 53711  
July 25, 2007



Mr. Brad Murphy  
City of Madison  
Planning & Development  
215 Martin Luther King, Jr. Blvd.  
Madison, WI 53703

RE: Rezoning and Development of 821 S. Gammon Road

Dear Mr. Murphy:

The Greentree Neighborhood Association Board met on May 7, 2007 and at that meeting decided not to take a position on the proposal for rezoning and development of 821 S. Gammon Road submitted to the City of Madison by Rich Klinke. Concern was expressed by some members of the board that the entrance/exit to the proposed office/retail building off Schroeder Road would be too close to the intersection of Gammon and Schroeder Roads and would increase congestion during times of heavy traffic. However, we decided not to oppose the project because we felt that the project was an improvement over the deteriorating structures presently on the property. Also, we thought that the property would not remain a single family residence site much longer and we did not want to see this property or other pieces of land in the area be used for multi-family rental units. This part of southwest Madison has a large number of people residing in rental units which is making it difficult to create a sense of community.

Thank you for the opportunity to comment on this proposal.

Sincerely,

A handwritten signature in cursive script, reading "Nancy Priegel", is written in black ink.

Nancy Priegel  
President, Greentree Neighborhood Association Board

**HIGH POINT ESTATES  
HOMEOWNERS ASSOCIATION  
P.O. BOX 44094  
MADISON, WISCONSIN 53744-4094**

**(VIA E-mail)  
July 26, 2007**

**Steven Klinke  
Klinke Cleaners  
4518 Monona Drive  
Madison, WI 53716**

**Dear Mr. Klinke:**

**At the meeting of the Board of Directors of the High Point Estates Homeowners Association held on July 25, 2007, your proposed development plan for the property located at 821 South Gammon Road was brought back for further discussion. The reason for bringing the item back was that the owners and residents of the Country Meadows Apartments had made us aware of their opposition to your development.**

**In our previous correspondence we expressed that our support for the project was in part based on your commitment "to secure neighborhood friendly tenants for the proposed building." Based upon the communications we have received from our neighbors in the Country Meadows complex, it would appear that no tenant would be acceptable and therefore the entire development is unacceptable.**

**We must respect the opinions of our neighbors. County Meadows is directly impacted by the proposed development whereas High Point is only peripherally affected. They are good neighbors and have expressed legitimate concerns about the development. Until those concerns are addressed to their satisfaction, we must rescind our previous letter of support.**

**As we stated in our previous letter, "A quality development is important to the residents of our neighborhood." Just as important, the development must also be acceptable to the entire neighborhood.**

**Sincerely,**

**David B. Phillips  
President**

**E-mail copy to: Jed Sanborn, District 1 Alder; Frederic E. Mohs, Country Meadows**

## 702 N Midvale Blvd

### General

- # 11
1. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
  2. The site plans shall clearly identify the location of all fire lanes.
  3. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure.
  4. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.
  5. A dead-end fire lane that is longer than 150-feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45 degree wye, 90 degree tee) at the end of a fire lane that is more than 150-feet in length.
  6. Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.
  7. Provide a minimum unobstructed width of 26-feet for at least 20-feet on each side of the fire hydrant.

## 821 S Gammon Rd

### General

- # 9
- 1) Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:  
**(commercial structures only)**
    - a. The site plans shall clearly identify the location of all fire lanes.
    - b. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.
    - c. all portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path **traveled by the fire truck as the hose lays off the truck.** See MGO 34.20 for additional information.