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February 25, 2008

VIA E-MAIL ONLY

Plan Commission Members
City of Madison
210 Martin Luther King, Jr. Boulevard
City-County Building, Room 201
Madison, WI 53709

RE: 733 County Highway "M"

Dear Plan Commission Member:

I represent the Applewood Hills Neighborhood Association ("Applewood") which is opposing the rezoning of the above property to facilitate the construction of a 66-unit multi-family apartment complex. To a large extent, the planning unit report mirrors Applewood's position. The essence of Applewood's position is as follows:

1. **This Project Constitutes Inappropriate Land Use Planning.**

The Comprehensive Plan designates the Peters' parcel as "special institutional" since it was incorrectly assumed that this parcel was also owned by the Catholic Diocese which owns the property immediately to the east. As you know, the Comprehensive Plan guidelines were not intended to provide parcel-by-parcel land use recommendations, but instead a more detailed neighborhood development plan, such as the High Point-Raymond Neighborhood Development Plan ("Neighborhood Plan") is to be controlling, particularly in this case when a parcel has a temporary agricultural zoning category. Staff is technically correct that the applicant's 3.9-acre remnant-like property "falls through the cracks" and is not within the specific boundaries of the Neighborhood Plan. Notwithstanding this fact, it would be perfectly logical for the Peters' parcel to have the same low-density land use designation that controls the Applewood Hills' property. Plan staff agrees.

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Staff believes that using the low-density residential land use recommendation for the lands along the east side of CTH M south of the subject site is an appropriate benchmark for determining the appropriate density for the applicant's development, given the presence of other low-density residential developments either in existence or planned in the future for nearby properties.

Planning Division Report, February 22, 2008, page 4.

Therefore, if the maximum density of the Neighborhood Plan were to be applied, the proposed project would be limited to 32-units as opposed to the 66-unit proposal that is before you.

Staff and Applewood would recognize that it would be more sensible to develop this parcel in conjunction with the Catholic Diocese. However, staff also correctly states that they do not believe that the Diocese is ready to undertake such a planning effort.

2. This Project Would Significantly Contribute to the Existing Traffic Mess on CTH "M."

CTH "M" is a two-lane road carrying over 20,000 cars per day and the road is likely to remain two lanes for the foreseeable future. In addition, because of the configuration of the highway and the topography of the land near the Peters' parcel, access at that point would be potentially dangerous. Left turns onto CTH "M" from and into the developer's proposed project, would be virtually impossible to navigate safely. It is estimated that the trip generation tables from the Institute of Traffic Engineers indicate that the 66-unit would generate more than 500 vehicular trips on CTH "M" each day. Staff recognizes the resulting safety problem and traffic congestion that would result if this project were approved.

Staff believes that the project could have very poor access that will essentially preclude residents who do not have an automobile or who choose to travel by other means from residing in this development. Although there are neighborhood-serving retail uses, a public park and 7-day Metro Transit service located along Watts Road...the proposed development will have no access to these facilities unless a sidewalk is extended across the Diocesan property, requiring instead that residents use an automobile for all or most basic daily needs. In addition,

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residents accessing the site by car are likely to experience the same lengthy delays waiting for gaps to accommodate turns that presently affect residents in both the Westview Hills and Applewood Hill developments further to the south on CTH M.

3. The Environmental Features and Topography of the Peters' Parcel Are Not Conducive to this Project.

Overall, the property, has a slope in excess of 12% which is considered steep and is the break point for inclusion of land in the environmental corridor for preservation. It is a heavily wooded parcel characterized by a considerable grade change of over 40 feet from the southeasterly portion of the site with an additional 8-12 feet of fall from the western property line to the edge of the roadway. Applewood is concerned that massive construction of this very dense apartment complex would result in the destruction of many of the trees and other vegetation on the site which would permanently alter the nature of that site and negatively impact the immediately adjacent Applewood Neighborhood.

CONCLUSION

In reviewing the planned unit development standards as contained in M.G.O. 28.07(6), planning staff correctly identifies the following specific criteria which this project must be measured against.

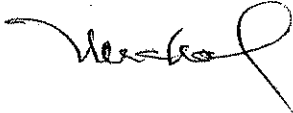
1. **Character and Intensity of Land Use.** In a planned unit development district, the uses and their intensity, appearance and arrangement shall be of a visual and operational character which:
 - a. are compatible with the physical nature of the site or area and/or
 - b. would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the general development plan.

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For all these reasons, Applewood would urge the City to reject this development as being fatally flawed for this particular site, at this particular location.

Sincerely,

DEWITT ROSS & STEVENS s.c.



Michael R. Christopher

MRC:dso

cc: Mayor David Cieslewicz (via e-mail only)
Aldersperson Paul Skidmore (via e-mail only)
Brad Murphy (via e-mail only)
Tim Parks (via e-mail only)
Joel Plant (via e-mail only)