



Independent Living, Inc.

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MEMORANDUM - Plan Commission Agenda Item #10 – December 15, 2014

TO: City of Madison Plan Commission, Alderman Larry Palm

FROM: Independent Living, Inc. (ILI) and ILI Senior Housing – Tennyson Lane, LLC

RE: Requesting Waiver of Condition #21 on the Conditions of Approval letter dated September 4, 2014.

PROJECT NAME: Tennyson Senior Living Community, 1936 Tennyson Lane

DATE: December 14, 2014

Statement of Request: ILI and LLC are requesting that Condition #21 be removed from the Planned Development adopted by the Common Council on September 2, 2014, based on the recommendation of the Plan Commission.

Condition #21 reads as follows: “Senior living facilities generate expectations for higher level pedestrian facilities above and beyond typical development. Applicant prior to sign-off shall provide a deposit in the amount of \$20,000 to be used at the discretion of the City Traffic Engineer for enhanced pedestrian improvements in the Right-of-Way near the proposed development.”

Rationale: As developer for the Tennyson Senior Living Community, ILI and LLC did not specifically request “enhanced pedestrian improvements in the Right-of-Way” for this project. Nor do we anticipate doing so in the future.

ILI has 30 years of experience owning and operating senior living communities in Dane County. With regard to Tennyson Senior Living Community, there have been numerous meetings with the neighborhood and prospective residents who anticipate living in this development, and no one has articulated such a need. Had there been a determination that a need exists for “higher level pedestrian facilities,” we would have definitely incorporated it into our Planned Development application.

By observation, our current properties located on Segoe Road in the City of Madison, Chapel Valley Road in Fitchburg and Hunters Trail/O’Keefe Avenue in Sun Prairie all have what appears to be a much higher traffic volume. Yet none of these properties have been identified by us, our residents or others as needing “enhanced pedestrian improvements.”

Traffic staff did share with us that the \$20,000 fee would be held anywhere in a loose range from 5-10 years in the event City Traffic decides to expend them. If the funds are not used as stipulated, there is no detail in Condition #21 that explains how or when the funds are returned to the project. Nor is there a provision that grants us a voice as to the type of "enhanced pedestrian improvements" that might be contemplated.

District 12 Alderman Larry Palm has indicated to us that this "location does not warrant this concern" and we agree. In addition, Alderman Palm has asked the neighbors for further feedback through his recent District Update dated 11/13/14.

The staff memo dated 12/10/14 references existing pedestrian refuge islands on Tennyson Lane to address speeding issues and related pedestrian concerns. It is not clear who initiated or paid for these improvements. Given their location we suspect either the school or Berkley Oaks neighborhood requested them. We expect these traffic calming measures will continue to positively impact traffic flow and pedestrian crossing on Tennyson.

We have looked into the specific references made in the staff correspondence submitted by traffic engineering to the Plan Commission, as projects referenced as needing enhanced pedestrian improvement due to the nearby location of senior living property. We have spoken with all the developers/owners of these projects and learned that in 2 out of the 5 projects, the owner/developer or their residents had requested enhanced pedestrian improvements. The others did not. The last one had recent large changes to the roadway and the owner of the nearby senior property indicated they did not pay for this improvement.

One of our overarching goals for this project is to provide affordable service-supported senior living. The unexpected burden of a \$20,000 traffic fee deposit is a hardship to the project budget. The funds to pay this fee would have to come from donations or borrowed funds. There is a lack of supporting documentation that warrants or forecasts a need for "enhanced pedestrian improvements" at this location. We respectfully request that Condition #21 be removed from the approved Planned Development.

Alternative Proposal to this Policy

We would further offer an alternative to the payment of this fee prior to start of project construction. We would be willing to sign an agreement with the City to pay for some or all costs of pedestrian improvements if initiated by us or residents living at our property over the next 5 years. This we believe addresses the City concern of having funds available to do improvement if and when it is determined to be needed.