



Location
5166 Great Gray Drive

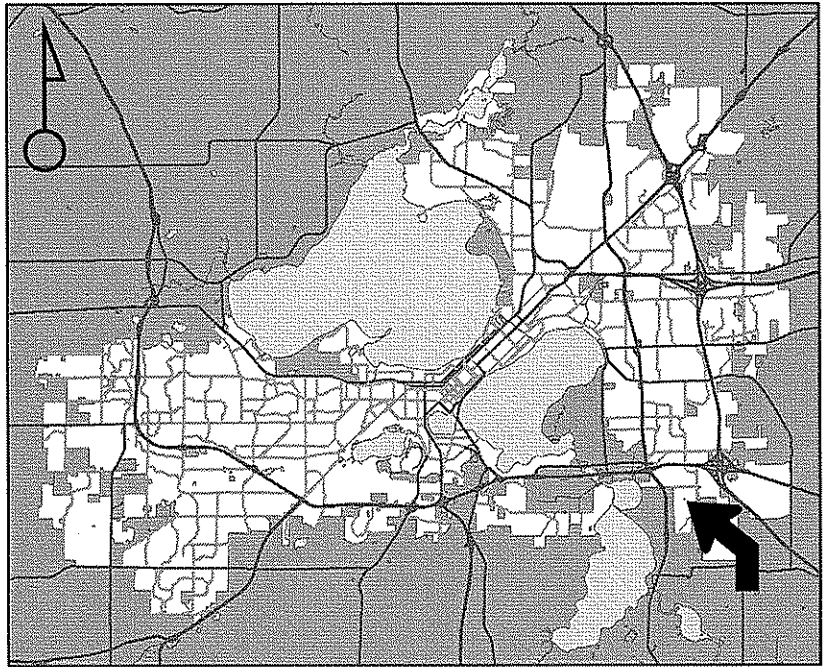
Project Name
Owls Creek 4-Unit

Applicant
Ronald J Grosse - Grosse Investment Properties/Jim Glueck - Glueck Architects

Existing Use
Vacant Land

Proposed Use
Construct Four-Unit Townhome

Public Hearing Date
Plan Commission
06 October 2008



For Questions Contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'



LAND USE APPLICATION

Madison Plan Commission

215 Martin Luther King Jr. Blvd; Room LL-100
 PO Box 2985; Madison, Wisconsin 53701-2985
 Phone: 608.266.4635 | Facsimile: 608.267.8739

- The following information is required for all applications for Plan Commission review.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at www.cityofmadison.com/planning/plan.html
- All zoning application packages should be filed directly with the Zoning Administrator's desk.
- All applications will be reviewed against the applicable standards found in the City Ordinances to determine if the project can be approved.

FOR OFFICE USE ONLY:

Amt. Paid: \$550.00 Receipt No. 92-888
 Date Received: 7/16/08
 Received By: JLK
 Parcel No.: 0710 274 1312 0
 Aldermanic District: 16 - Judy Compton
 GQ: Engwood-L2
 Zoning District: R4
For Complete Submittal
 Application: Letter of Intent:
 IDUP: Legal Descript.:
 Plan Sets: Zoning Text:
 Aider Notification: _____ Waiver: _____
 Ngrbrhd. Assn Not.: _____ Waiver: _____
 Date Sign Issued: 7/16/08

1. **Project Address:** 5166 Great ^{Gray} Dr. **Project Area in Acres:** less than 1
Project Title (if any): Owls Creek 4 Unit

2. **This is an application for:** (check at least one)

Zoning Map Amendment (check only ONE box below for rezoning and fill in the blanks accordingly)

<input type="checkbox"/> Rezoning from _____ to _____	<input type="checkbox"/> Rezoning from _____ to PUD/PCD-SIP
<input type="checkbox"/> Rezoning from _____ to PUD/PCD-GDP	<input type="checkbox"/> Rezoning from PUD/PCD-GDP to PUD/PCD-SIP

Conditional Use **Demolition Permit** **Other Requests** (Specify): _____

3. **Applicant, Agent & Property Owner Information:**

Applicant's Name: Ronald J Grosse Company: Grosso Investment Properties LLC &
 Street Address: 400 Progress Drive City/State: Cottage Grove WI Zip: 53527
 Telephone: (608) 345-0406 Fax: (608) 839-3694 Email: Grossoaircraft@charter.net

Project Contact Person: JIM GUECK Company: GLUECK ARCHITECTS
 Street Address: 116 N. FEW STREET City/State: MADISON, WI Zip: 53703
 Telephone: (608) 251-2551 Fax: (608) 251-2550 Email: glueckarch@sbcglobal.net

Property Owner (if not applicant): (same)
 Street Address: _____ City/State: _____ Zip: _____

4. **Project Information:**

Provide a general description of the project and all proposed uses of the site: 4 unit Townhouse each with a 2car attached garage, 3 bedroom, 2 1/2 bath

Development Schedule: Commencement Sept 08 Completion April 09

5. Required Submittals:

Site Plans submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:

- Seven (7) copies of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
- Seven (7) copies of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
- One (1) copy of the plan set reduced to fit onto 8 1/2 inch by 11 inch paper

Letter of Intent: Twelve (12) copies describing this application in detail but not limited to, including: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.

Legal Description of Property: Lot(s) of record or metes and bounds description prepared by a land surveyor.

Filing Fee: \$ 500 See the fee schedule on the application cover page. Make checks payable to: City Treasurer. *ALREADY PAID # 5178 FROM RON GROSSO BUILDERS.*

IN ADDITION, THE FOLLOWING ITEMS MAY ALSO BE REQUIRED WITH YOUR APPLICATION; SEE BELOW:

N/A For any applications proposing demolition of existing (principal) buildings, photos of the structure(s) to be demolished shall be submitted with your application. Be advised that a *Reuse and Recycling Plan* approved by the City's Recycling Coordinator is required to be approved by the City prior to issuance of wrecking permits.

N/A A project proposing **ten (10) or more dwelling units** may be required to comply with the City's Inclusionary Zoning requirements outlined in Section 28.04 (25) of the Zoning Ordinance. A separate **INCLUSIONARY DWELLING UNIT PLAN** application detailing the project's conformance with these ordinance requirements shall be submitted concurrently with this application form. Note that some IDUP materials will coincide with the above submittal materials.

N/A A *Zoning Text* must accompany **all** Planned Community or Planned Unit Development (PCD/PUD) submittals.

FOR ALL APPLICATIONS: All applicants are required to submit copies of all items submitted in hard copy with their application (including this application form, the letter of intent, complete plan sets and elevations, etc.) as **INDIVIDUAL** Adobe Acrobat PDF files compiled either on a non-returnable CD to be included with their application materials, or in an e-mail sent to pcapplications@cityofmadison.com. The e-mail shall include the name of the project and applicant. Applicants who are unable to provide the materials electronically should contact the Planning Unit at (608) 266-4635 for assistance.

6. Applicant Declarations:

Conformance with adopted City plans: Applications shall be in accordance with all adopted City of Madison plans:
→ The site is located within the limits of OWG'S CREEK PLAT Plan, which recommends:
RESIDENTIAL for this property.

Pre-application Notification: Section 28.12 of the Zoning Ordinance requires that the applicant notify the district alder and any nearby neighborhood or business associations by mail no later than **30** days prior to filing this request:
→ List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices:
JUDY COMPTON (will be notifying city of waiver of 30 day requirement)
If the alder has granted a waiver to this requirement, please attach any such correspondence to this form.

Pre-application Meeting with staff: Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning Counter and Planning Unit staff; note staff persons and date.
Planner TIM PARKS Date 7/08 | Zoning Staff MATT TUCKER Date 7/08

The signer attests that this form has been completed accurately and all required materials have been submitted:

Printed Name JIM GLUECK Date 7/14/08

Signature [Signature] Relation to Property Owner ARCHITECT

Authorizing Signature of Property Owner [Signature] Date 16 July, 08

July 15, 2008

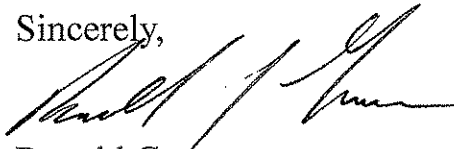
To Whom it May Concern:

Addressing the use of lot 40 in Owl's Creek Subdivision, Madison, Wi. I would like to build 4-unit townhouse condos on this 12,875 sq. ft. lot to be used as full time residence for 4 families, each having 3 bedrooms, 2 ½ baths and a 2 car attached garage.

The contractor will be Ron Grosso Builders, LLC with an estimated start date of September 2008 and a completion date of April 2009, with landscaping completed in the spring. The architect is Glueck Architects. This building will be owned and managed by Grosso Investment Properties, LLC.

Access to the 4 units, by vehicle, will be on Owl Creek Drive to the rear of the unit. Pedestrians will enter along the city walks and service walks which are on Great Gray Drive.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronald Grosso', written over a horizontal line.

Ronald Grosso, owner
Grosso Investment Properties, LLC

33 East Main Street
Suite 500
Madison, WI 53703-3095
Mailing Address:
P.O. Box 2038
Madison, WI 53701-2038
Phone:
608.257.7181
Fax:
608.257.2508
www.murphydesmond.com

Ronald M. Trachtenberg
Direct Line 608.268.5575
Facsimile 608.257.2508
rtrachtenberg@murphydesmond.com



26 August 2008

VIA EMAIL ONLY
district16@cityofmadison.com
Aldermoman Judy Compton
Office of the Common Council
City of Madison
210 Martin Luther King, Jr. Blvd.
Madison, WI 53703

VIA EMAIL ONLY
jzilavy@cityofmadison.com
Ms. Jennifer Zilavy
Office of the City Attorney
City of Madison
210 Martin Luther King, Jr. Blvd.
Madison, WI 53703

VIA EMAIL ONLY
bmurphy@cityofmadison.com
Mr. Brad Murphy
Planning Division Director
City of Madison
215 Martin Luther King, Jr. Blvd.
Madison, WI 53703

VIA EMAIL ONLY
knoonan@cityofmadison.com
Ms. Katherine C. Noonan
Office of the City Attorney
City of Madison
210 Martin Luther King, Jr. Blvd.
Madison, WI 53703

VIA EMAIL ONLY
cstrasburg@cityofmadison.com
Lieutenant Carl Strasburg
East Police District
Police Department
City of Madison
809 South Thompson Street
Madison, WI 53716

Re: Our Clients: Grosso Investment Properties, LLC
Lots 40 and 41, Owl's Creek Subdivision

Dear Ms. Compton, Mr. Murphy and Lt. Strasburg, Ms. Zilavy and Ms. Noonan:

This letter will follow up on the discussions at the meeting of various City staff, including yourselves, Ron and Kathy Grosso on behalf of Grosso Investment Properties,

26 August 2008

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understand that the police are concerned that the Grossos have been concentrating on the power of eviction and non-renewal as a behavior control tool, the Grossos have been working with their tenants. While the Grossos do not like losing tenants either through eviction or non-renewal and certainly have every incentive to try to work with their tenants, the police, and the city attorney's office, must understand that the ultimate tool that the Grossos have is eviction and non-renewal. If it comes down to a choice between not being able to continue development and/or facing possible nuisance prosecution by the City, the Grossos must and will use the eviction and non-renewal tool.

The police have consistently said that the police call rate from Owl's Creek is well above acceptable standards, and well above "similar" neighborhoods. In order to have something to measure against, we would ask that the police department provide us what is an acceptable level of service calls, and what is a "good" level of service calls, as well as the basis for those measurements from reference to existing Madison neighborhoods against which Owl's Creek is being measured against, as well as information as to the service level pertaining to those neighborhoods.

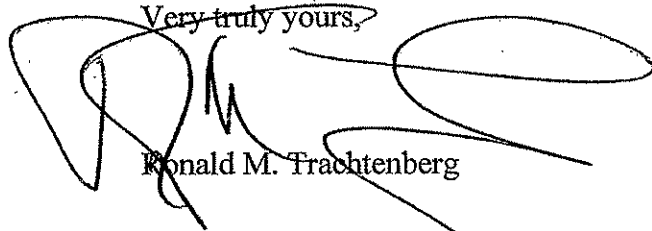
On related matters, as the police department is aware, the Grossos and the Nelsons have retained a security firm to do "drive throughs" of Owl's Creek. While the police department did question the intent of the Grossos and the Nelsons (as to whether or not it was mere show), the Grossos and the Nelson did so to provide another set of eyes and ears in the neighborhood as well as notice for the neighborhood. While those drive throughs were spread throughout the day, the Grossos and the Nelsons haven now asked that the security firm do those drive throughs in the earlier and mid evening hours when most of the "street" problems appear to arise. In addition, the Grossos and the Nelson are discussing hiring a joint resident manager and the Grossos have made an offer to the alderperson, Judy Compton, to provide a duplex unit as a discounted rate to the City of Madison, school district or social service agencies to provide for a resident community organizer as well as to provide programmatic activities.

Lastly, there is the issue of building design and landscaping. As the Department of Planning and Development is aware, there are three four-unit buildings left to this development, only two of which pertain to the Grossos. Other than that, the balance of the buildings are duplex and then the single family portion of the development starts. At this point in time, the Grossos are not willing to go to the Urban Design Commission with a forced redesign that is likely to make the buildings uneconomical given the existing building and present market. The Grossos, however, are willing to work with staff relative to any building design and landscaping issues that staff may have to see if we can come to common

26 August 2008
Page 4

agreement. If planning staff is interested in pursuing that, we are certainly willing to set up a meeting between the Grossos, Mr. Glueck, and the appropriate staff members.

Very truly yours,



Ronald M. Trachtenberg

RMT:srp
082291

compton murphy et al 082608

cc: Grosso Investment Properties, LLC

Attn.: Ron and Kathy Grosso VIA EMAIL ONLY grossoaircraft@charter.net

Glueck Architects

Attn.: Mr. James Glueck VIA EMAIL ONLY glueckarch@sbcglobal.net

City of Madison, Office of the Mayor

Attn.: Mr. Joel Plant, Mayoral Aide VIA EMAIL ONLY jplant@cityofmadison.com

The Nelson Group

Attn.: Mr. Marc Nelson VIA EMAIL ONLY marc@thenelsongroup.org

Attn.: Mr. Doug Nelson VIA EMAIL ONLY doug@thenelsongroup.org

Attorney Daniel A. O'Callaghan VIA EMAIL ONLY daocallaghan@michaelbest.com

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Facsimile 608.257.2508
rtrachtenberg@murphydesmond.com



12 August 2008

VIA EMAIL ONLY

bmurphy@cityofmadison.com

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

VIA EMAIL ONLY

district16@cityofmadison.com

Alderwoman Judy Compton
Office of the Common Council
City of Madison
210 Martin Luther King, Jr. Blvd.
Madison, WI 53703

VIA EMAIL ONLY

tparks@cityofmadison.com

Mr. Tim Parks, Planner
Planning Division
City of Madison
215 Martin Luther King, Jr. Blvd.
Madison, WI 53703

Re: Grosso Investment Properties, LLC
Lots 40 and 41, Owls Creek

Dear Mr. Murphy, Mr. Parks and Ms. Compton:

This will confirm that Grosso Investment Properties, LLC, has agreed to postpone the Plan Commission's consideration of the conditional use permit for Lot 40, Owls Creek, from August 18 to September 15, 2008, to see if we can resolve whatever outstanding issues there may be.

Please note that the Grossos, as well as Doug and Marc Nelson, as well as the undersigned and Attorney William White, who represents the Grossos, will be participating in a school meeting on August 15, 2008, concerning Owls Creek organized by Joel Plant of the Mayor's office. Hopefully, to the extent that land owners and landlords can assist the school district in resolving school related issues, that meeting will be of some benefit.

As Mr. Parks and Alderwoman Compton are aware, we did meet with Alderwoman Compton, Assistant City Attorneys Noonan and Zilavy, as well as Captain Klubertanz. We had thought that the efforts of Grosso Investment Properties, LLC had satisfied the Police Department with respect to pre-leasing screening and post-leasing problem tenant resolution. However, that may or may not be the case. Other issues which were raised at the meeting with Captain Klubertanz included the connection of various streets (which is presently

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Page 2

underway), the laying of the final coat of asphalt (which is being delayed as long as possible in order that as much construction can be completed as possible), and the installation of street trees (which is within the bailiwick of the City of Madison Forestry Division).

In any event, we would request a meeting with City staff and Alderwoman Compton as soon as possible after the meeting of August 15, 2008, in order that any remaining issues can be put on the table and hopefully resolved. We think it would be appropriate if Planning staff were there as well as representatives of Police, Traffic, Engineering, and Forestry. If staff is aware of any other concerns that would involve other staff, we would ask that such staff be also at the meeting.

We understand there has been some discussion about significantly upgrading the building "design" for the buildings on Lots 40 and 41, as compared to what has already been built there, including sending Lots 40 and 41 to the Urban Design Commission. (Lot 41 already has an approved conditional use permit, but which apparently needs a minor alteration to extend the life of the conditional use permit, which Alderwoman Compton is holding in her pocket at least until after the meeting of August 15, 2008).

Because of the existing rental market for this area, which in part has been dictated by what has already been built in that area, significant upgrades in building design cannot be economically justified and will not be "bankable". We have been advised by the Grossos that although they wish to work with the City of Madison, because they do not own the lots in question, if the building designs are not "bankable", they will simply walk from the project. As you are probably aware, the Grossos now have approval for their Sun Prairie project which will keep them and their crew busy for the time being. We wish to work with the City of Madison, but it has to be within the framework of economic reality.

In any event, we would ask that Mr. Parks set up that meeting as soon as possible after August 15, 2008, in order that we can determine where we are going.

Very truly yours,

Ronald M. Trachtenberg

RMT:srp

082291/murphy parks compton 081208

cc: Grosso Investment Properties, LLC

Attn.: Ron and Kathy Grosso VIA EMAIL ONLY grossoaircraft@charter.net

Glueck Architects

Attn.: Mr. James Glueck VIA EMAIL ONLY glueckarch@sbcglobal.net

City of Madison, Office of the Mayor

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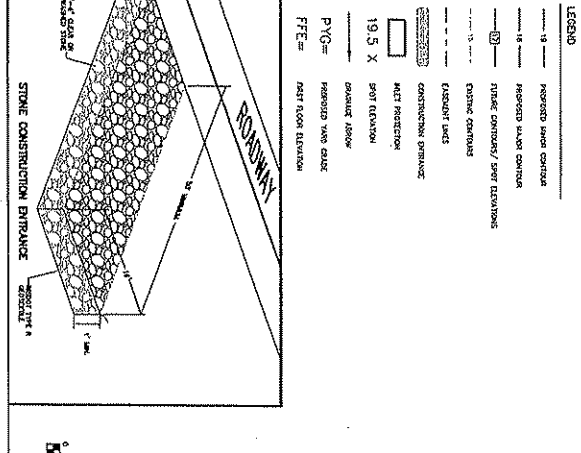
Construction Progress

1. Erosion control measures shall be installed prior to grading and grading operations. These shall be approved by the City of Madison. Erosion control measures shall be approved for maximum effectiveness and vegetation is re-established.
2. Erosion control is the responsibility of the contractor until completion of this project. Erosion control measures on stone and soil in the minimum protection periods that will be observed. The contractor shall be responsible for regrading and covering of erosion control problems that are the result of construction activities. Additional erosion control measures shall be approved by the City of Madison.
3. All erosion control measures and structures during the life must be inspected at least weekly or within 24 hours of the time 0.5 inches of rain is predicted. All maintenance will follow an inspection within 24 hours.
4. Construction Progress:
 5. Provide a stone kerfing pad at each point of access, installed according to WMR Standards 1037. Refer to WMR's stormwater web page at technical standards at: <http://www.dmr.com/eng/web/eng/standards/technicalstandards.htm>
 6. Soil Stabilization: Provide a stone kerfing pad at each point of access, installed according to WMR Standards 1037. Refer to WMR's stormwater web page at technical standards at: <http://www.dmr.com/eng/web/eng/standards/technicalstandards.htm>
 7. Erosion control devices shall adhere to the technical standards found at: <http://www.dmr.com/eng/web/eng/standards/technicalstandards.htm>
 8. All debris located onto public streets shall be swept or accepted clean by the end of each workday.
 9. All disturbed areas shall be seeded immediately after grading activities have been completed.
10. All finished areas shall be seeded with a minimum of four (4) boxes of topsoil, fertilizer, seed, and mulch. Seed mixture 40 shall be used on all areas. Mulchers shall be in accordance with section 500 of Wisconsin D.O.T. specifications. Seed mixture and fertilizer shall be applied at the rate of seven (7) pounds per 1000 square feet of area. Seeding shall be performed on the contractor to prevent the formation of rills or gullies. Seeding and sodding may only be used from May 1st to September 15th of any year. Temporary erosion control measures shall be installed prior to the final site stabilization.
11. For the final site (B) work after the final stabilization of a disturbed area, seeding shall be performed whenever more than seven (7) days of dry weather occurs.

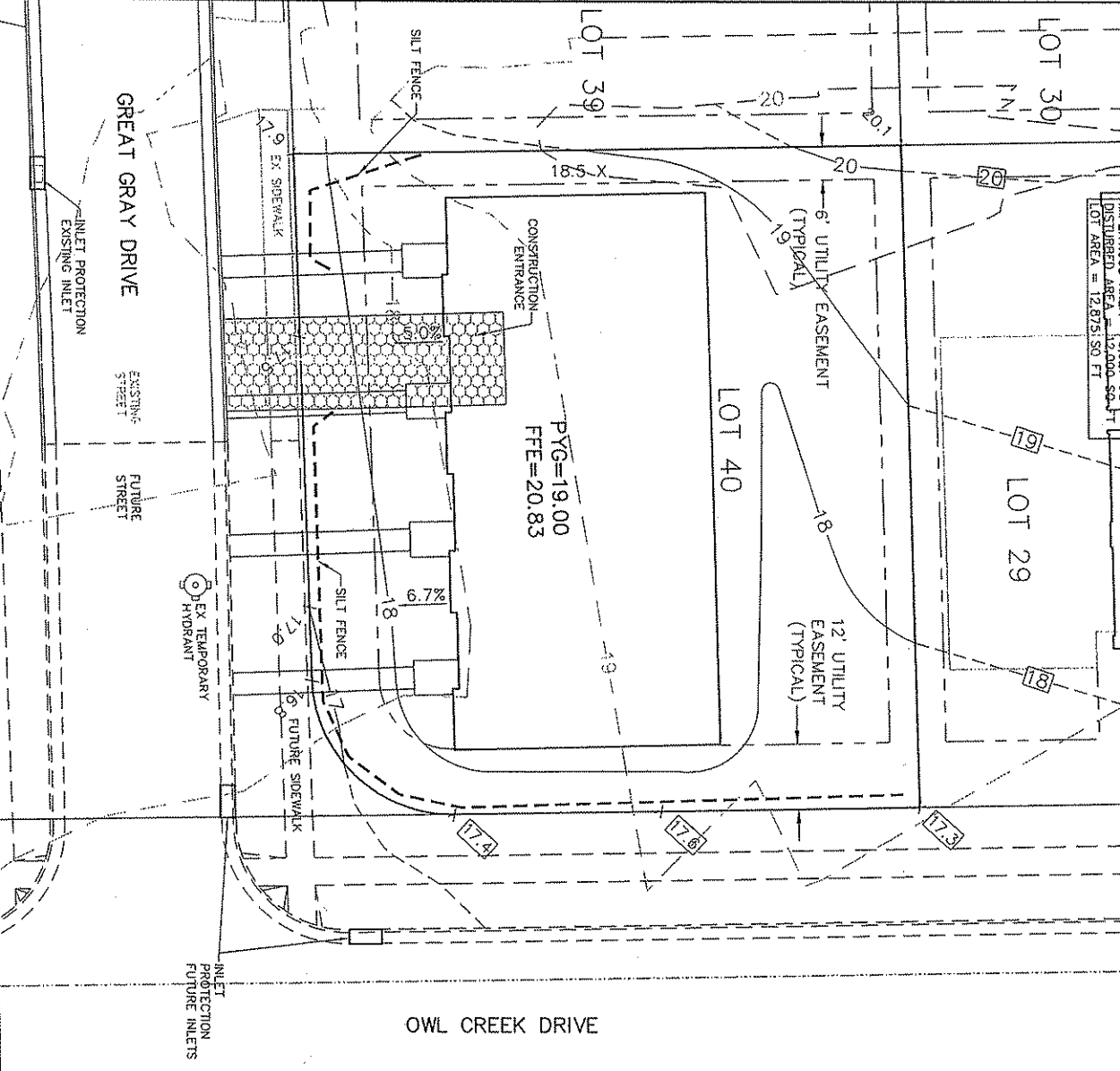
Engineer/Geotech:
 Robert GROSSO
 GROSSO INVESTMENT PROPERTIES, LLC
 MADISON, WI 53704
 608.335.0006

Schedule:

- August 15, 2008 Install all face and construction entrances
- August 16, 2008 Begin excavation of the ground cover.
- October 15, 2008 Apply temporary seed and mulch for final duration.
- May 15, 2009 Erosion control installed, apply seed and mulch to all disturbed areas.
- July 15, 2009 Vegetation established.



SITE DATA:
 IMPERVIOUS AREA = 5,327 SQ. FT.
 DISTURBED AREA = 12,000 SQ. FT.
 LOT AREA = 12,875 SQ. FT.



Lot 40, Owls Creek Subdivision

MADISON, WISCONSIN
GROSSO COMPANIES
 3411 MILLER STREET
 MADISON, WI 53704

PROJECT NO.	SS121243
LOT DATE	07/13/2009
REVISION DATES	07/13/2009

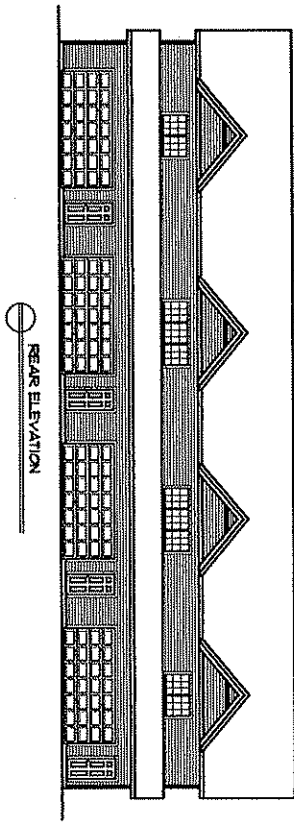
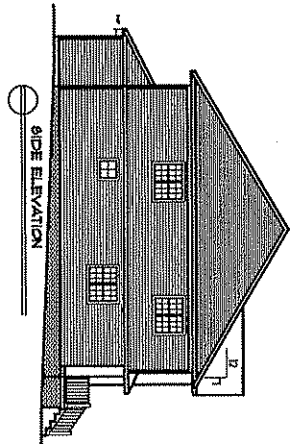
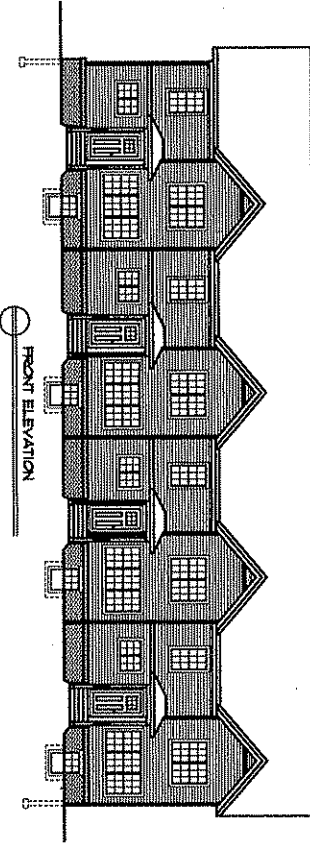
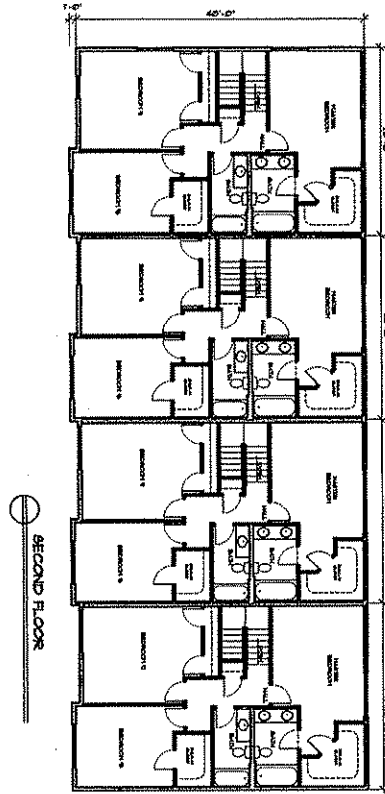
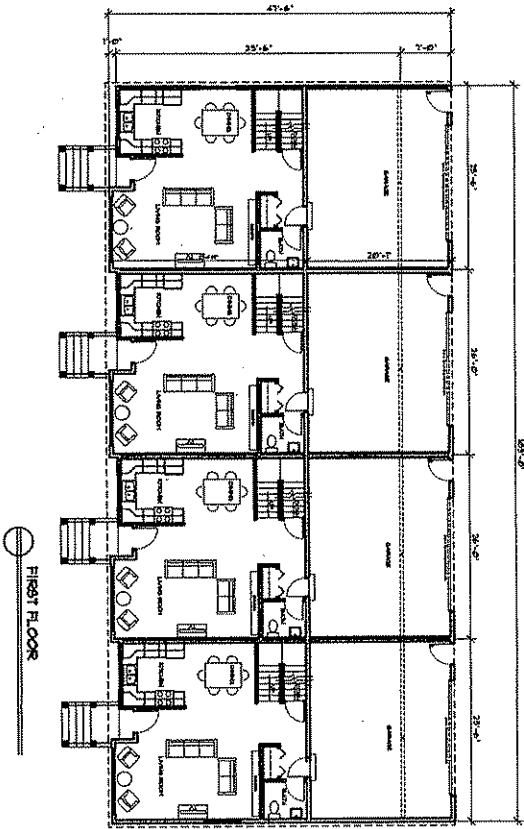
SCALE DATES	SCALE
07/13/2009	AS SHOWN
07/13/2009	AS SHOWN

Engineering and Planning Inc.
 1107 S. Webster Ave. Ste. 10
 Madison, WI 53704
 Tel: 608-233-2345
 Fax: 608-233-2346
 www.enrplanning.com

Burse
 Engineering and Planning Inc.

GRADING AND EROSION CONTROL PLAN

DATE: 07/13/2009
 DRAWING NUMBER: 1.1



GROSSO COMPANIES
 4 UNIT TOWNHOUSES
 LOT 4B, OUL & CREEK
 MADISON, WISCONSIN

glueck architects
 110 North Park Street, Madison, WI 53703 (608)261-0251

1-16-09