

**Stouder, Heather**


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**From:** steve rice [steverice@thearchitectsltd.com]  
**Sent:** Wednesday, November 26, 2008 9:20 AM  
**To:** 'Karyl Rice'; Stouder, Heather; 'Steve Rice'  
**Cc:** 'Richard B. Arnesen'; PFrautschi@aol.com; 'Phillip Carlson'; aperkins@zimbrick.com  
**Subject:** 8133 Mansion Hill Neighbors

All

- In addition to the notes below, it should be noted that the neighbors were generally **pleased with the design** of the building, the material selections and the colors. "It's nice that it fits in."  
 - The neighbors expressed concern about headlights going into the adjacent building to the west. A stone wall, at the edge of the excavation for the paving, will partially screen the lights. At the north end of the westerly lot plantings will do the screening. The current species will be changed to evergreens.

theARCHITECTS Ltd

Steve Rice

233.6363

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**From:** Karyl Rice [mailto:rice@mailbag.com]  
**Sent:** Tuesday, November 25, 2008 9:01 PM  
**To:** 'Stouder, Heather'  
**Cc:** 'Richard B. Arnesen'; PFrautschi@aol.com; 'steve rice'; 'Phillip Carlson'; aperkins@zimbrick.com  
**Subject:** RE: 8133 Mansion Hill Ave.

Heather,

Is ours considered a re-zoning?

There were only two residents at the meeting this evening; which lasted a little less than an hour. Concerns raised are as follows (along with our proposed solution or answer).

1.) Difficult to get in/out of the driveway due to cars parked on the street.

Solution: We will contact the City Traffic department and see if the curb can be painted yellow.

2.) Mailbox access: currently the mailboxes are on our (Lot 87 property) property within the new sidewalk and are accessed from car windows by driving against traffic in the driveway.

Solution: Move the mailboxes to the street to match the properties on the other side of the street.

3.) Snow : where will you plow the snow.

Answer: Snow will be plowed in the direction of the detention pond.

4.) Traffic concerns regarding ability to pull out of their driveway.

Answer: Drop-offs and pick up times were explained as being staggered and with two entry points in/out it is unlikely to cause a back-up into the street.

12/9/2008

5.) Concerns about kids climbing on their retention wall.

Answer: The children will be kept within the fenced area or supervised if taken for walks off-site.

6.) Retaining wall/parking proximity questions.

Answer: Our wall is not as deep as the adjacent property, so should not pose any structural problems. The parking lot starts 12' off the property line which also has many plantings along it.

7.) Who takes care of the driveway maintenance?

Answer: This is addressed and will follow the dictates of the access easement that is already in place.

8.) Will snow removal be handled properly?

Answer: This will be carried out by a service contract and if possible will be done by the existing company so there is no lapse in service.

Not many questions raised require us to change direction and probably will not warrant referring to the next meeting.

Karyl Rice  
Project Solutions, Inc.  
608.233.7423

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From: Stouder, Heather [<mailto:HStouder@cityofmadison.com>]  
Sent: Tuesday, November 25, 2008 6:25 PM  
To: Karyl Rice  
Subject: RE: 8133 Mansion Hill Ave.

Karyl-

I did not receive any other concerns addressed to the Plan Commission regarding the case, although one neighbor did inquire about the city's policies with regard to posting notices of rezoning hearings. I provided the ordinance language to her, but did not hear back.

Heather

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From: Karyl Rice [<mailto:rice@mailbag.com>]  
Sent: Tue 11/25/2008 4:34 PM  
To: Stouder, Heather  
Subject: RE: 8133 Mansion Hill Ave.

Did you get any other neighborhood questions?

12/9/2008

6

**Stouder, Heather**

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**From:** PFrautschi@aol.com  
**Sent:** Wednesday, November 26, 2008 10:06 AM  
**To:** rice@mailbag.com; Stouder, Heather  
**Cc:** rarnesen@stonehousedevelopment.com; steverice@thearchitectsltd.com; prairielifecenter@verizon.net; aperkins@zimbrick.com  
**Subject:** Re: 8133 Mansion Hill Ave.

Two minor clarifications to Karyl's email:

In a message dated 11/25/2008 9:01:53 P.M. Central Standard Time, rice@mailbag.com writes:

2.) Mailbox access: currently the mailboxes are on our (Lot 87 property) property within the new sidewalk and are accessed from car windows by driving against traffic in the driveway.

Solution: Move the mailboxes to the street to match the properties on the other side of the street.

Alternate solution: Move them within the easement to the south side of their exclusive drive on the way in to their garages. They would still be able to collect mail from their car as they pulled in and would be out of the way of the two way traffic (except perhaps from their own condo traffic). We don't know how the post office would react to this idea, but think it be more convenient and safe for the delivery person.

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3.) Snow : where will you plow the snow.

Answer: Snow will be plowed in the direction of the infiltration basin. Detention is different and handled elsewhere.

**Peter W. Frautschi**

Community By Design, Inc.  
625 North Segoe Road  
Madison, WI 53705  
608.310.8133

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December 10, 2008

**Summary of Issues Related to Development of Lot 87,  
8133 Mansion Hill Avenue, Midtown Commons**

1. **Land Use-**

- a. The use of Lot 87 for a Daycare is entirely consistent with the original PUD-GDP passed in 2000. It was designated then as a civic/institutional use to include appropriate uses under C-2 zoning. A daycare fits this definition (as would a museum, post office, religious, non-profit, fire or police station, etc.) The language in the zoning text specifically states *educational* use.
- b. A Daycare is one of the most compatible uses to be located near residential of all the allowable uses under current zoning. It operates during normal workday hours, Monday through Friday, not at night nor on the weekends. Noise is that of children playing (like you would expect in and around a park) versus trucks, and sirens. Parking requirements and traffic congestion are minimal.
- c. One of the central principles of compact, sustainable development is providing the maximum diversity of land-uses within walking distance, which is typically a quarter to half mile radius. There are no other daycare operations within a half mile radius.
- d. A quick calculation of the 800+ dwelling units within a quarter mile radius estimating 0.2 children per dwelling unit would suggest 160 children present within walking distance of the daycare. Add to that others who might find it convenient when commuting to and from Madison and others who will work in the neighborhood and it seems there will be an adequate balance between supply and demand to support the proposed facility.
- e. Suggestions of "other parcels available" are off base. The only other undeveloped parcels are zoned for mixed use and retail/office/commercial. These parcels are and have been zoned to become the neighborhood center and are not zoned for civic uses, yet would help support and be supported by the proposed use for lot 87 as a daycare. They are also not adjacent to a park which provides a great amenity for the daycare.
- f. The final plat and revised GDP are "fresh." The final plat and amended GDP was just recorded this year and approved last year. There was also a different application for a day care on lot 87 about a year ago which received initial approval (including an accessory retail use as a coffee shop). That application was withdrawn due to non-zoning related issues.

2. **Easement issues-**

- a. There are joint driveway easements (recorded document #3459309) and agreements that dictate who pays for improvements and maintenance, and what is allowed in the easement. To summarize:
  - i. The first party to construct a driveway does so at its own expense and pays for all maintenance until the second party improves its lot.
  - ii. When the other party(ies) commences construction it shall reimburse the first party its share of the initial costs of construction paid for by the first party for that section within the easement.
  - iii. In this case, the second party (we) agrees to assume all "new" construction costs, and maintain access for the first party.

- iv. Ongoing maintenance is assigned to specific properties, unless agreed upon differently, and such costs are shared pro-rata. We offer to accept this responsibility for ongoing maintenance.
- v. There is no provision for use of the easement for anything but a driveway on our property. By the language of the easement neither mailboxes nor signs are prohibited, but nor are they allowed. We would expect to legally be able to place signage on our own property (directional signage will very likely be required by the Fire Department). The same cannot be said for other parties' rights to place their private personal property or fixtures on our property. We propose to move the mailboxes to a mutually agreeable safer location at our expense as shown on the site plan.
- vi. All parties are required to provide insurance and to indemnify all other parties at all times. We will be fully insured for liability from day one and forevermore and be carrying Builder's Risk insurance during the construction phase.

**3. Traffic and safety-**

- a. Despite resident concerns the street system is designed to accommodate this type of traffic from this location.
- b. City of Madison Traffic engineering has stated that traffic capacity is adequate.
- c. The owner expects very few instances where there will be more than 20 people dropping off or picking up kids at any given time. This is based on his experience with a similar daycare operation he runs in Lake Mills, WI.
- d. Locating a Daycare in mid-block reduces the likelihood that any children might wander into the public roadway, thus reducing the likelihood of a traffic accident.
- e. We have asked to allow the curbs at the entrances to be painted yellow per City standards to prohibit onstreet parking to allow adequate visibility for ingress and egress.

**4. The neighbors retaining wall and safety issues-**

- a. The neighbors to the east are concerned that their retaining wall is already eroding and they are concerned about activity and improvements on lot 87 exacerbating these problems.
- b. It is obvious to us that any damage we (or any party hired or associated with us) cause to any other party is our responsibility to cure. That is what insurance is for. Further, there are laws that protect any property owner from damage caused by others.
- c. While we commiserate with them for having a poorly constructed retaining wall, we should not be made liable for their negligence or the negligence of their retaining wall contractor.
- d. Our parking lot retaining wall is offset 16 feet from the shared property line, and is not nearly as deep as theirs, which is adequate to ensure that we will not damage their property. We would offer to cut the grade down between properties, thus reducing the height of their retaining wall by up to about 3 to 6 feet? We also offer to construct a fence along the property line to help ensure that no unattended children wander over and fall off the retaining wall into their parking area and have proposed additional buffer plantings.

Please let me know if you have any questions,

Peter W. Frautschi- President  
Community By Design, Inc.  
W.C. Development Corp.  
625 North Segoe Rd.#101  
Madison, WI 53705  
608-310-8133 office

# theARCHITECTS Ltd

September 25, 2008, October 22, 2008, November 12, 2008, **December 10, 2008**

Mr. Brad Murphy  
Director of Planning and Development  
City of Madison  
215 Martin Luther King Jr. Blvd.  
PO Box 2985  
Madison, WI 53701

RE: Letter of Intent  
Lot 87, Midtown Commons Plat  
Madison, WI  
SIP Submittal

Dear Mr. Murphy,  
The following is submitted together with the plans, application, and zoning text for staff, Plan Commission and Common Council consideration of approval:

## Organizational Structure:

Owner: L87, LLC  
c/o Community By Design, Inc.  
625 North Segoe Road  
Madison, WI 53705  
608.310.8133  
Contact: Karyl Rice  
[rice@mailbag.com](mailto:rice@mailbag.com)

Architect:  
the ARCHITECTS Ltd  
701 Ridge St.  
Madison, WI 53705  
Contact: Steve Rice  
[steve@thearchitectsltd.com](mailto:steve@thearchitectsltd.com)

Engineer: Calkins Engineering LLC  
David Glusick  
5010 Voges Rd  
Madison, WI 53718.  
838-0444/ fax 838-0445  
[dglusick@calkinsengineering.com](mailto:dglusick@calkinsengineering.com)

Landscape Design: Kittleson Landscape, Inc.  
Kirk Zimpel  
10486 CTH ID  
Blue Mounds, WI  
437-8845  
[kzimpel@mhtc.net](mailto:kzimpel@mhtc.net)

## Introduction and Project Description:

Midtown Commons is a 79-acre development on the north side of Midtown Road east of Highway M on the City's far west side. The development has been designed to create a Town Center within the larger Highpoint/Raymond neighborhood plan. A mix of uses and densities was planned including retail and office, residential, civic and institutional uses, parking and dedicated parkland. A PUD-GDP for this particular site was previously approved, which provided for a range of potential institutional type uses, including a daycare.

The proposed day care facility will be a one-story building containing approximately 10,650 s.f. The daycare will be operated by Prairie Life Learning Center, Lake Mills Wisconsin. The wood frame building, designed to blend into the existing neighborhood character, will care for not more than 163 children.

# theARCHITECTS Ltd

## Site Development Data

The previous SIP submittal for the neighboring housing units can be reviewed in the April 2, 2008 Letter of Intent. To refine the suggested Daycare Center, we submit a site plan of 63,227 square feet which contains the following.

- The parking consists of 24 stalls for staff and 21 for parent/visitors. One parking stall per 190 sqft of building approximately. Lot coverage with building and parking is 45 percent.
- Space for twenty bikes has been designated for the occupants use for a ratio of .8 stall per staff.
- A playground with significant mulch areas and the balance of sod is provided at 9,350 sq ft.
- A retention basin shown on the grading plan will assist in keeping silt and chemical runoff from entering the storm system and consequentially the lakes.

## Site and Building Architecture

The surrounding residential buildings are a combination of 2 and 3 story simulated stone and vinyl siding. This infill project aims, with its siding and low asphalt roof, for a more single family residential feel to assuage small fears. With the larger overhangs, cementitious siding and face brick, Prairie Life aspires to be the neighborhood institution. The light from the upper windows over the central space will serve as a beacon and a location element as well as a daylighting feature.

## Project Schedule

The developer intends to start construction in October or November of this year and complete the project by June of 2009.

## Social and Economic Impact:

The construction of a daycare will have a positive social and economic impact. There is a high demand for a quality daycare in this booming area.

**Hours of operation** will be from **6am to 6pm**

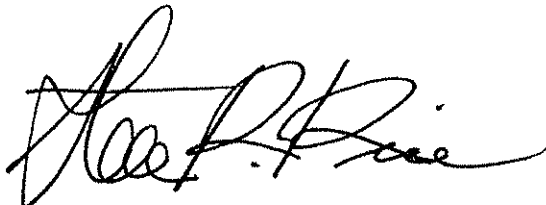
Hours of operation of the outdoor **playground** are from **8am to 5pm**

Peak times for **drop off / pickup** will be approximately **6am to 9am / 11am to 1pm / 3pm to 6pm**

In operating similar sized facilities for years, the Operator has rarely witnessed 20 cars present at one time.

Please review the attached proposal and contact me with and questions or comments.

Respectfully,  
theARCHITECTS Ltd



Steven R. Rice  
architect.ceo

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## Response to committees 10/22 comments:

The **signage** on the south side of the building is **withdrawn** pending an application for signage.

A cross section through the site will be presented at that time

**Planting** has been **increased** and more **native species** have been included, including playground shading. A bio retention basin will be planted at the North of the site. Spreading Euonymus, a hardy ground cover, will be utilized under trees in the islands. 11/19/08

Vinyl siding has been changed to **cementitious siding**.

**Additional windows** have been added to some classrooms and others have been moved to obtain **cross ventilation**.

Concrete **paving areas** will be provided for handicapped students in the **playground**.

~~An **access from the park** to the Daycare's sidewalk has been developed at the SE corner of the site.~~

~~**Rotating the building** toward the park, conflicted with the pedestrian and drop off access.~~

The SE parking against the curb has been made a **drop off area** and stalls widened to 10', the staff parking moved across the drive. The **sidewalk widths** have been increased to 7' to accommodate vehicle overhangs.

~~The 10 **bike racks** for twenty bikes will be "Sentry" model by Madrax.~~

~~The City Parks Department is contemplating our request to do some grading on their property to mitigate some of the issues caused by the stone wall and some misplaced utilities.~~

Parking lot **tree islands** have been added per the requirements. The parking total has been reduced to 47 as a result.

~~**Angular parking** was investigated and restricted the owner desired number of stalls and may have caused cars to circle the block until a stall opened up.~~

The **pedestrian access** from the NE has been made shorter and clearer by moving the walks on either side of the drive.

## Response to the committees comments - second visit: Nov 12, 2008

The **bike parking** area has been redesigned to accommodate trailers and meets the committee's suggestion on North to South dimension.

The **stall sizes** have been modified to reflect the vehicle overhang and the walk width.

The **small sod triangles** East of the building and next to the walk have been eliminated.

A **grade change** in the playground area (bump) has been accommodated with consideration for drainage and the Owners expressed safety concerns.

The suggested future **handicapped access** to the future park was not furthered at a meeting with the Parks Department staff. Park access is possible by using existing city street sidewalks. A 5' wide walk can be built along the west property line if and when development in the park warrants it. 11/19/08



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## Response to City Staff Comments

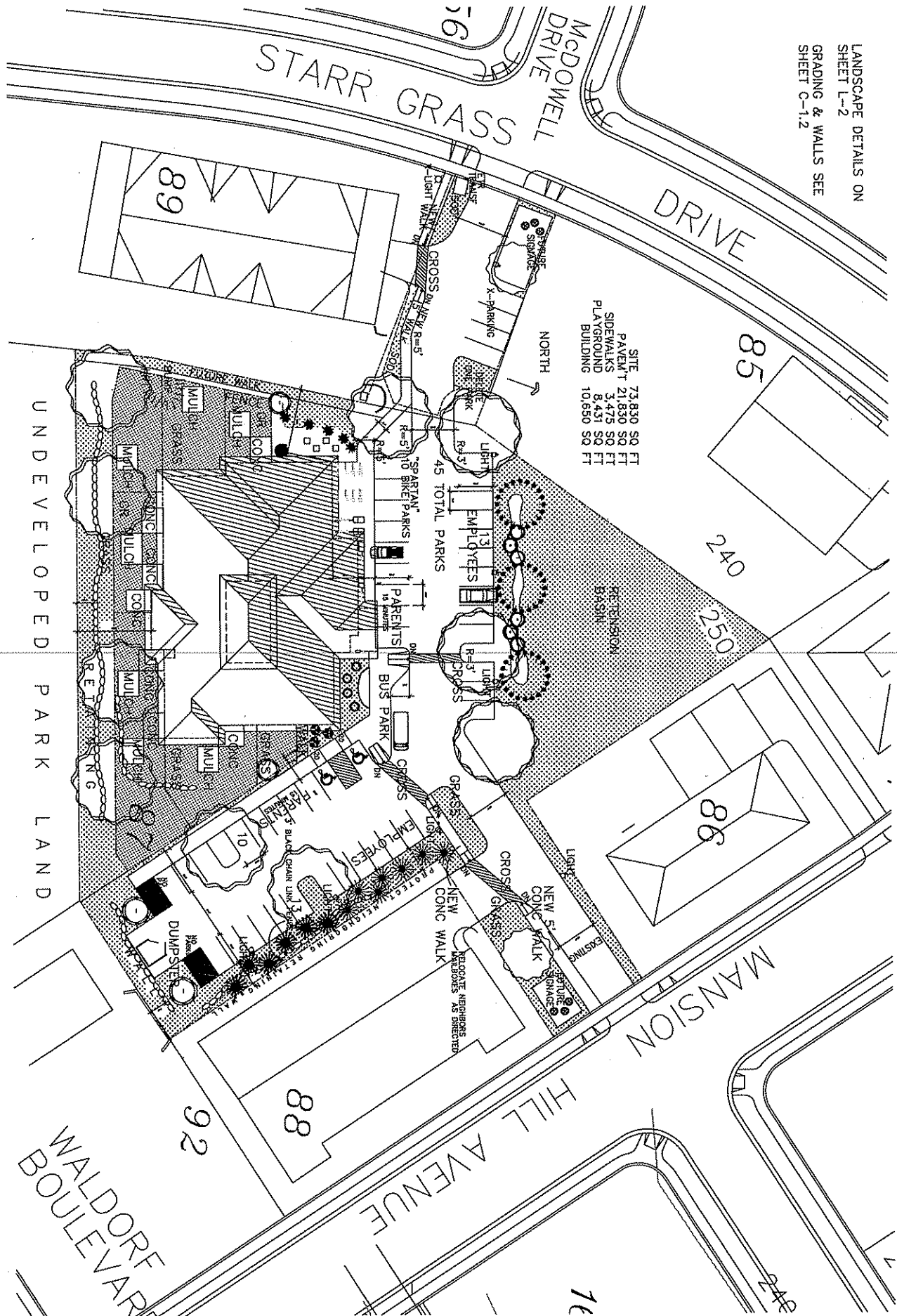
- 1) More screening has been added per the discussion
- 2) The dumpster enclosure has been included, using materials from the building
- 3) Access to shared driveways will remain open for residents of buildings on adjacent properties throughout the duration of the construction process.
- 4) The Daycare building will assume liability for repairing any damage to adjacent properties that occurs during the construction process.
- 5) The applicant ~~shall~~ **has** installed sidewalk from Starr Grass Drive to Mansion Hill Avenue.
- 6) The applicant ~~shall~~ **has** relocated the proposed crossing of the parking lot to accommodate for loading area not to end the crosswalk in a parking space. In addition, the applicant ~~shall~~ **has** installed ramps and crosswalks for the sidewalk walk connection between Starr Grass Drive and Mansion Hill Avenue.
- 7) A "Stop" sign shall be installed at a height of seven (7) feet at all driveway approaches
- 8) A parking stall has been eliminated at the dead ends

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## Response to Neighbors from 2 meetings

1. Protection of an existing retaining wall belong to the building to the East will be provided as well as a 3' fence. Add evergreen landscape screening at the same line
- 2) All snow plowing on shared easement property will be accomplished and paid for by the Daycare building
- 3) We have agreed, at our expense, to relocate the mailboxes for building "88" at a location of their choice on their property.
- 4) Add striping in the crosswalk across both drive accesses

LANDSCAPE DETAILS ON  
SHEET L-2  
GRADING & WALLS SEE  
SHEET C-1.2



SITE 73,839 SQ FT  
PAVEMENT 21,830 SQ FT  
SIDEWALKS 3,475 SQ FT  
PLAYGROUND 8,431 SQ FT  
BUILDING 10,650 SQ FT

45 TOTAL PARKS

UNDEVELOPED PARK LAND

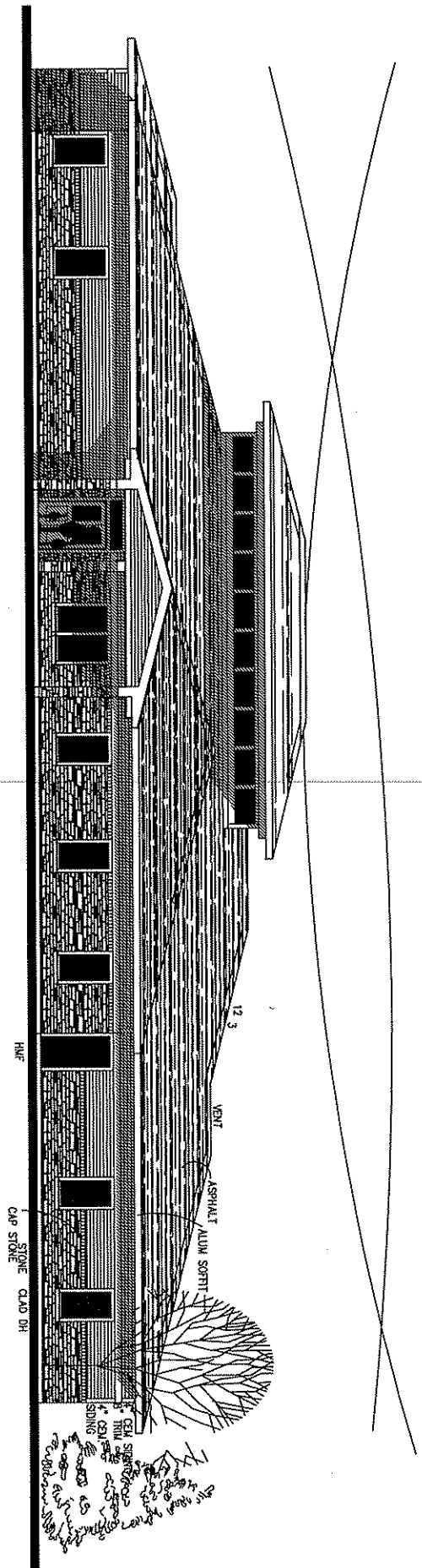
Site Plan  
SCALE: 1" = 20' - 0"

Midtowne Commons Daycare  
Lot 87  
8133 Mansion Hill Avenue  
Madison Wisconsin 53711

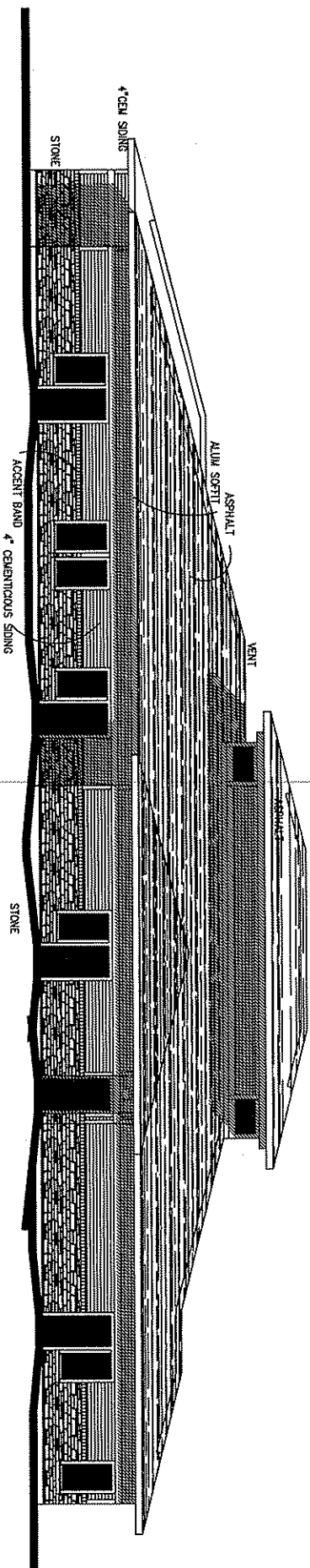
Owner: L87, LLC.  
625 North Segos Road  
Suite 101  
Madison Wisconsin 53705

701 High/Landmark/53705  
2000 233 0303  
L-1

FRONT ELEVATION



REAR ELEVATION



DATE  
10/28/08  
JOB NO. 101  
SHEET A-3

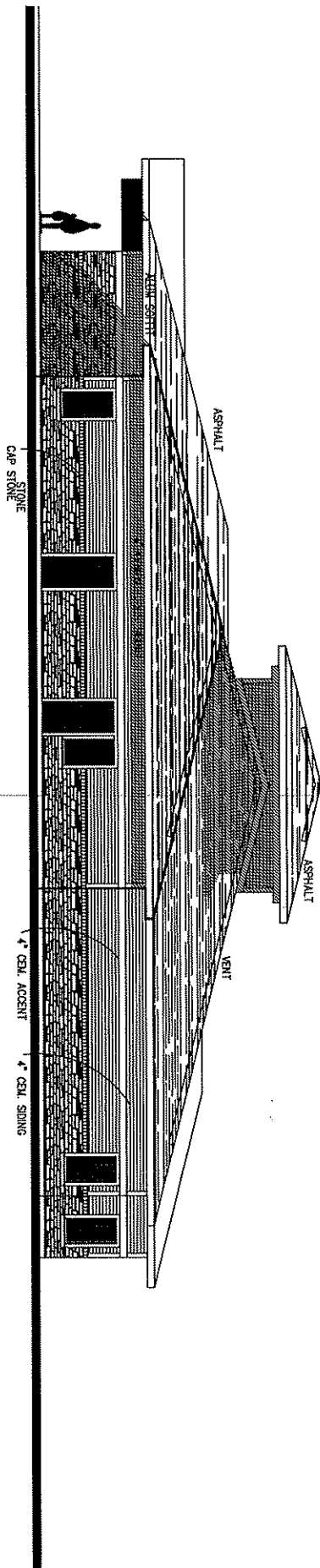
Elevation  
SCALE: 1" = 10' - 0"

Midtowne Commons Daycare  
Lot B7  
8133 Mansion Hill Avenue  
Madison Wisconsin 53711

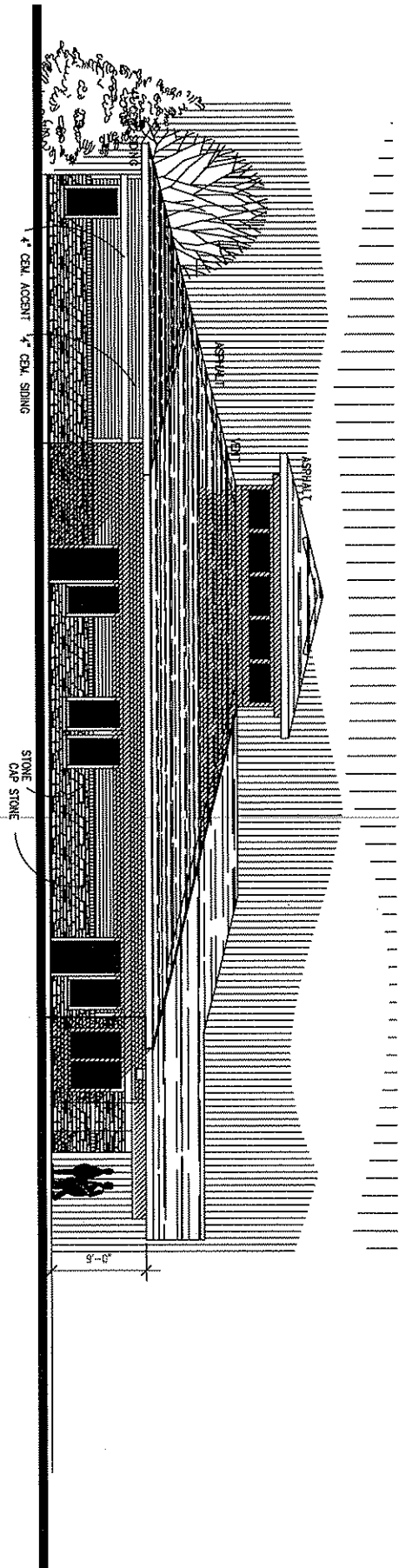
Owner: L87, LLC.  
625 North Segoe Road  
Suite 101  
Madison Wisconsin 53705

Architects: 701 Ridge at Madison WI 53705  
S. J. ...

RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

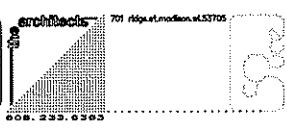


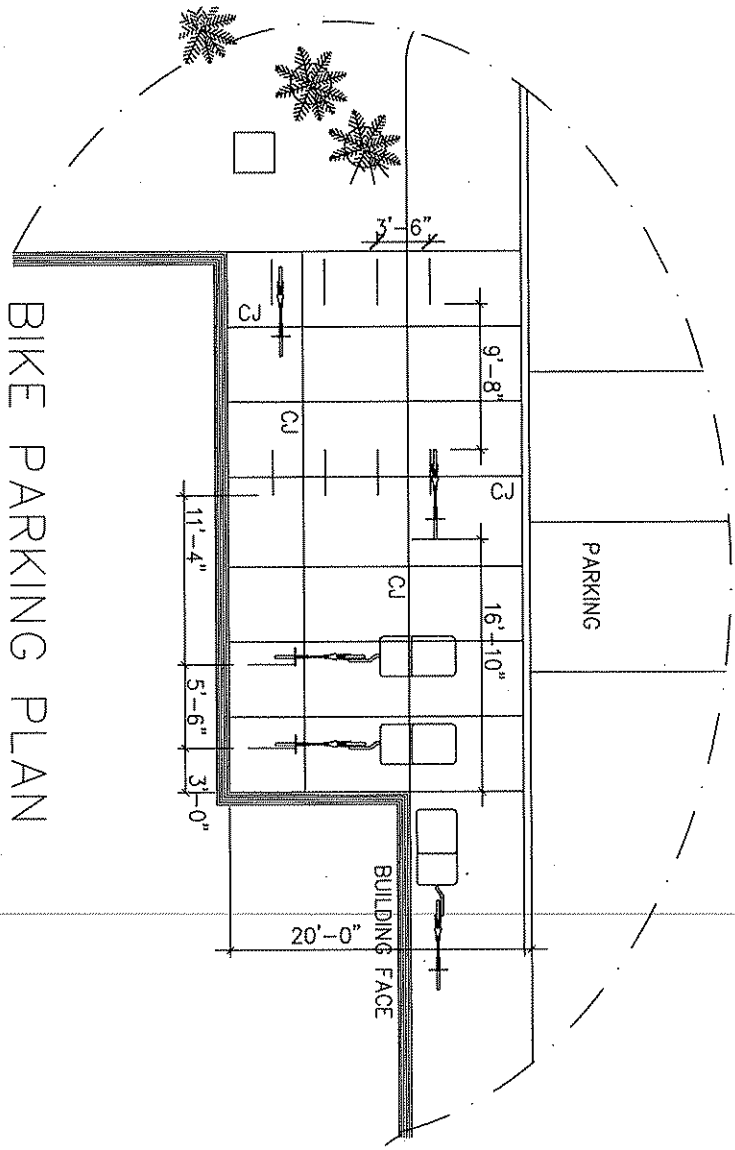
D A T E  
10.8.08  
JOB NO.  
6104  
SHEET  
A-4

Side Elevation  
SCALE: 1" = 10' - 0"

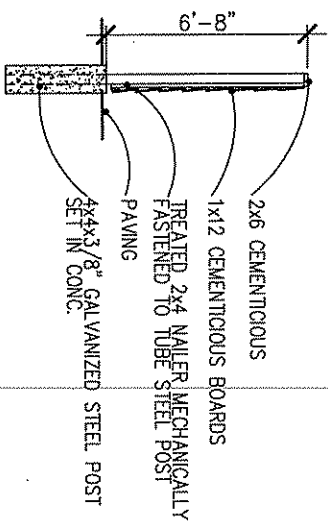
Midtowne Commons Daycare  
Lot B7  
8133 Mansion Hill Avenue  
Madison Wisconsin 53711

Owner: LB7, LLC.  
625 North Segoe Road  
Suite 101  
Madison Wisconsin 53705



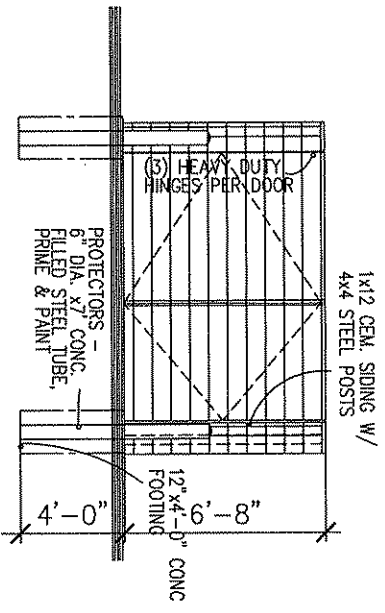
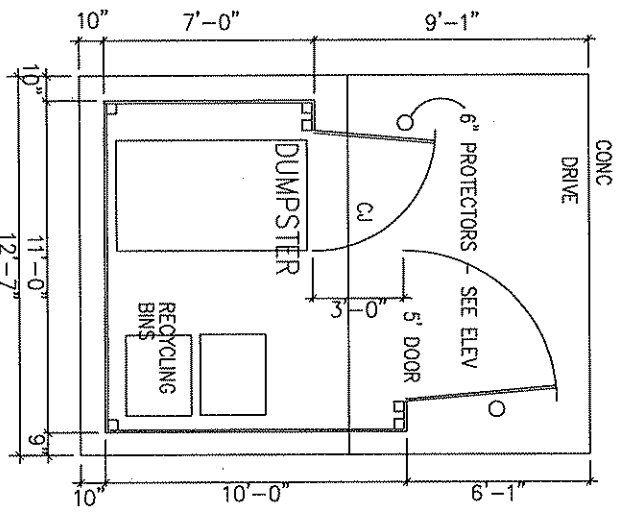


BIKE PARKING PLAN



SECTION

DUMPSTER PLAN



ELEVATION

DATE  
12.9.08  
JOB NO.  
8124  
SHEET  
L-1.5

Site Plan  
SCALE: 1" = 20' - 0"

Midtowne Commons Daycare  
Lot 87  
8133 Mangion Hill Avenue  
Madison Wisconsin 53711

Owner: L87, LLC.  
625 North Segoe Road  
Suite 101  
Madison Wisconsin 53705



Bioretention area, to be seeded with native seed mix

Bailey Redtwig Dogwood (6)  
White Pine (3)  
Seed mix Prairie Nursery Detention Basin Wet Prairie Mix or similar

Oak, Swamp White  
Sumac, 'low gro' (12)  
Planted in berm  
WALK TURF

State Street Maple  
'Autumn Magic' Chokeberry (3)

Sumac, 'low gro' (10)  
Planted in berm

Red Maple  
Sumac, 'low gro' (10)  
Planted in berm

Red Maple

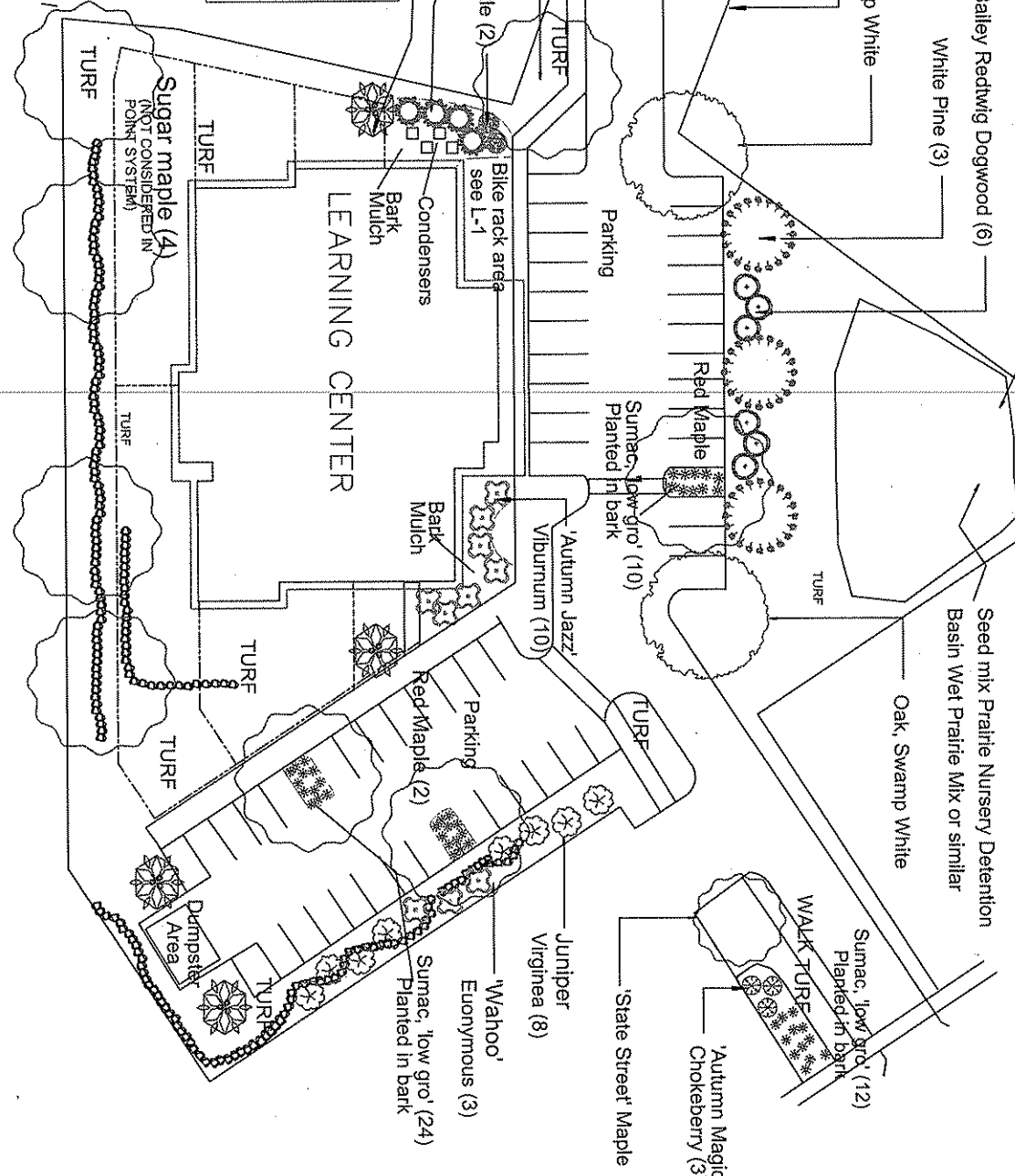
Dwarf Bush Honeysuckle (2)  
Juniper, Virginia (4)  
Serviceberry (4)

Condensers  
Bark Mulch

LEARNING CENTER

Element	Points	Quantity	Pts Achvd
Canopy tree	35	8	280
Deciduous shrub	2	33	66
Evergreen tree	15	3	45
		total pts	391
Stalls	45		Pts Req'd
			213

**Mulch and / or groundcover**  
- All plants and trees away from the building will have mulch rings of twice shredded bark.  
- Bark beds as noted  
- Plant borders and lawn areas separated by Commercial grade vinyl edging



**KITTLESON LANDSCAPE INC.**  
www.kittlesonlandscape.com  
1548 GYRE (608) 437-4422  
Blue Mound, WI 53001 (608) 437-4422

**MIDTOWNE COMMONS DAYCARE**  
Mansion Hill Ave., Madison, WI 53703  
11-20-08 08-1091 JPR

**Landscape Plan**  
SCALE: 1" = 30' - 0"  
DATE: 12.10.08  
JOB NO. NO. 12.10.08  
SHEET L-2

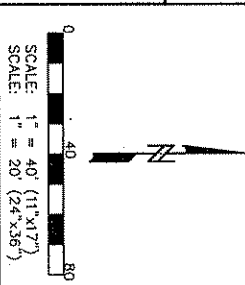
**Midtowne Commons Daycare**  
Lot B7  
8133 Mansion Hill Avenue  
Madison Wisconsin 53711

**Owner: L87, LLC.**  
625 North Segoe Road  
Suite 101  
Madison Wisconsin 53705

Architect: [Signature]  
201 Report.mxd, 12/22/08  
201 255 0366



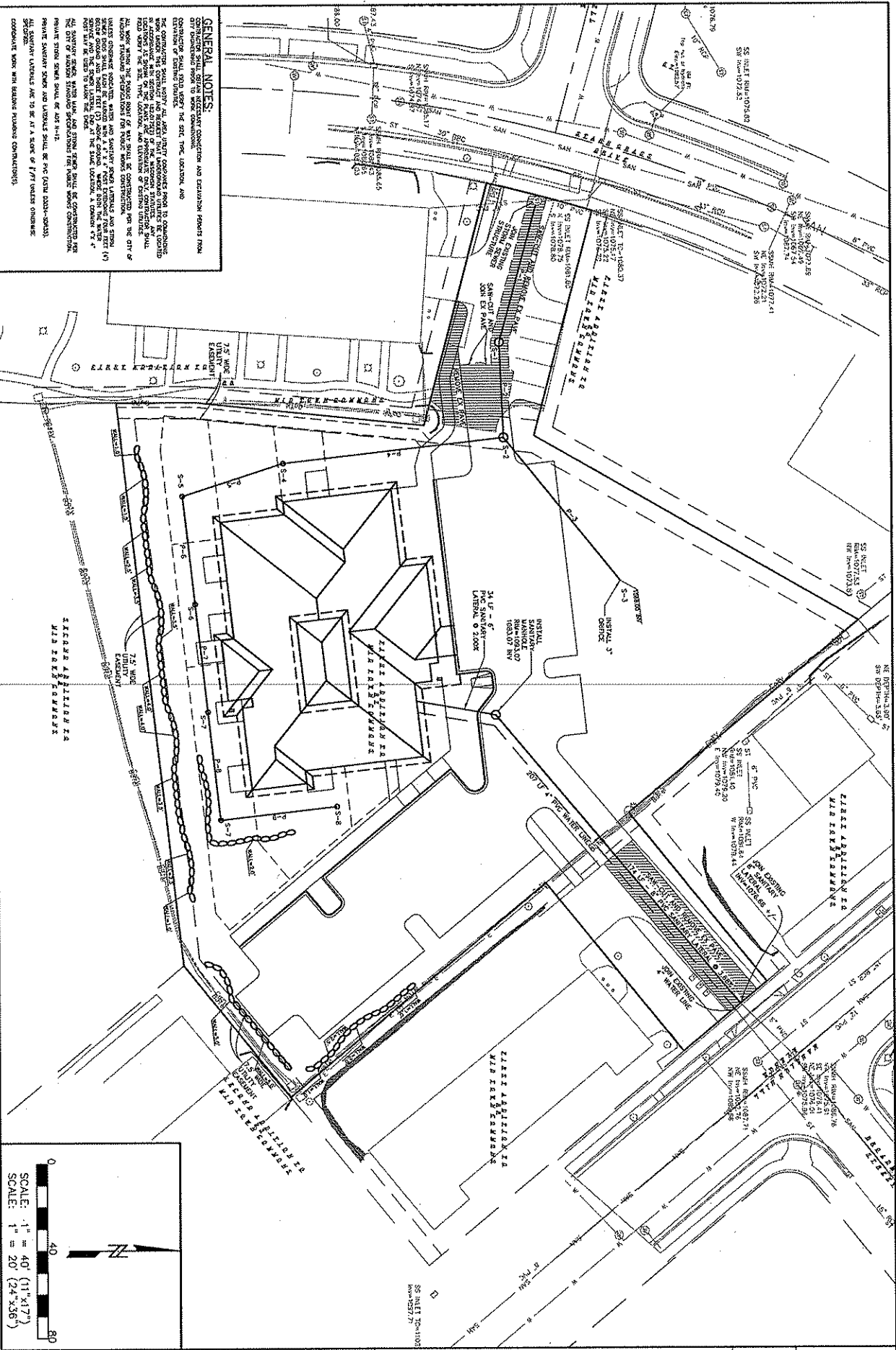
LEGEND	
3/4" SOLID LINE FOR ROAD	6. EXISTING PAVEMENT
1/4" SOLID LINE FOR ROAD	7. TV FACILITY
( ) SYMBOLS RECORDED AS	8. TELEPHONE FACILITY
BOUNDARIES ARE MEASURED TO THE	9. HIGHWAY
NEXT NEAREST POINT OF A FOOT	10. GAS VALVE
OUTSIDE	11. WATER VALVE
12. WATER VALVE	13. LIGHT POLE
14. LIGHT POLE	14. SIGN
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**GENERAL NOTES:**

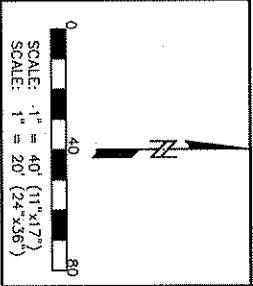
CONSTRUCTION SHALL VERIFY THE EXISTING LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF CHICAGO.

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ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES. ANY DAMAGE TO UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.

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**Calkins Engineering, LLC**  
Civil Engineers & Land Surveyors

**PRAIRIE LIFE LEARNING CENTER  
UTILITY PLAN**

DATE: 09-30-08

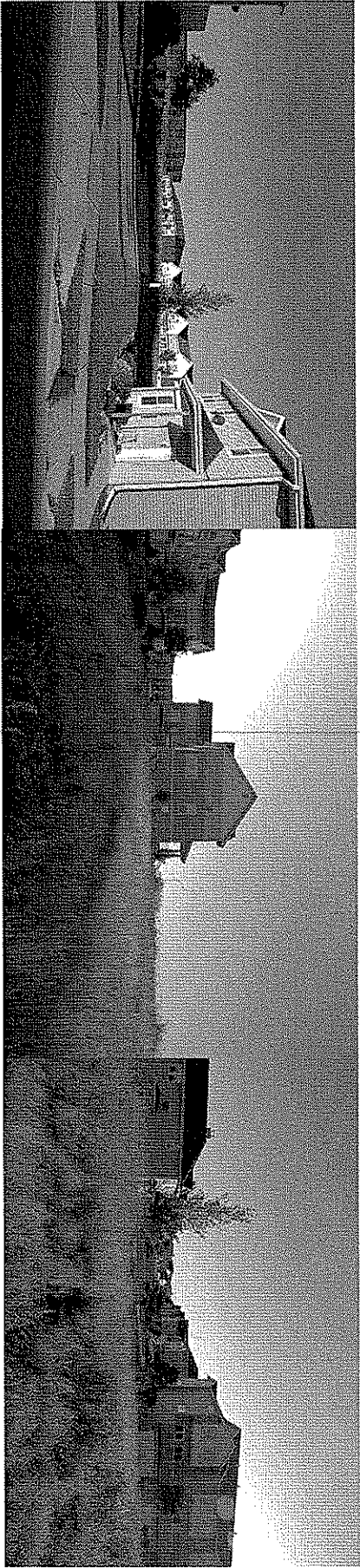
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Calkins Engineering, LLC  
5010 Vegas Road  
Madison, WI 53718  
(608) 838-0444

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SITE AND ADJACENT BUILDING PHOTOS

