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Cc: Pat McCaughey [info@mccaugheyproperties.com]; John Bieno [jjbienot@tjkdesignbuild.com]; Tim Kritter [tkritter@tjkdesignbuild.com]; Ellingson, Susan

Subject: 16320, 801 S Park St

Urban Design Commission:

After the UDC deferred this project on 1/18/12, project representatives modified the plans in response to the concerns expressed by neighbors and the Monona Bay Neighborhood Association (MBNA). We appreciate their collaboration and effort, and in response have adjusted the conditions upon which MBNA can formally support this development. The conditions below document the discussions between neighbors, MBNA, and the project representatives present at the 2/15 demonstration held at the site. Based on those discussions it is the understanding of the MBNA that the project representatives are willing and able to meet the conditions below, and thus will gain the support of the MBNA. MBNA respectfully requests that our six concerns below be formally recorded by the city as conditions of approval so that future changes to the project will not violate these agreements.

MBNA is mindful of the need to redevelop the site in question. The Association supported the initial iteration of this proposal, when a four story building was being contemplated. However, with regard to the current, revised proposal, MBNA has strong concerns about the suitability and appropriateness of the site for a drive-through operation as proposed by Dunkin' Donuts franchisee. Hence, MBNA will support the current proposal only if all conditions listed below are met. Absent of these conditions being met, MBNA opposes the current proposal.

MBNA's support is contingent on meeting all of the following conditions:

1. A six foot set-back of any structure or vehicle lane along the eastern border of the property.
2. Drive-thru ordering system ("squawk box") must be inaudible inside the adjoining, existing residential properties both in winter (windows closed) and summer (windows open).
3. Hours of operation of the drive-through ordering speaker will be confined to 6 AM to 9 PM on both weekdays and weekends.
4. Business hours will be confined to 4 AM to midnight on both weekdays and weekends including limiting parking lot lighting and lit signage when not in operation (closed).
5. An acoustical and optical barrier at least 10' (ten feet) high will be erected along the eastern border of the property, continuing along as much of the northern edge of the property as feasible. This barrier must meet the reasonable aesthetic and functional demands of the adjoining property owners and the Urban Design Commission. The structure and material proposed at the 2/15/12 demonstration consisting of two layers of wooden fencing with a layer of acoustically absorbent

material between is acceptable to MBNA, so long as the middle acoustically absorbent layer run the entire length of the property along with the fencing.

6. Encourage traffic to enter and exit from Park St. using site design and signage, including designing and building the traffic lanes so that executing a right turn onto the alley would be an extremely difficult maneuver.

Thank you for your consideration of our conditions of support. Please reply to this message if you have questions or need further information.

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