

VIA HAND DELIVERY

December 30, 2009

Tim Parks  
City of Madison, Planning Division  
Room LL100—MMB  
215 Martin Luther King Jr. Blvd.  
Madison, WI 53703

**RE: Comments on Request for Rezoning;**  
**6701-6921 McKee Road and 3210 Maple Grove Drive**

Dear Mr. Parks and Members of the Planning Commission and Common Council:

This letter, written on behalf of Daniel A. Nerad, Superintendent of Schools for the Madison Metropolitan School District, provides comments on the proposed rezoning of the parcels located at 6701-6921 McKee Road and 3210 Maple Grove Drive. The applicant for the rezoning is the Livesey Company (Alex Weis). As described in the letter of intent and the plans, the application for rezoning encompasses parcel #0608-122-0908-4 (approx. 10 acres) and parcel # 0608-122-0913-3 (approx. 3.25 acres).

The Madison Metropolitan School District writes to inform the Planning Commission and the Common Council of a school district boundary issue that is relevant to the two parcels that are the subject of the pending request for rezoning. Specifically, it is our understanding that the larger parcel (#0608-122-0908-4) is presently situated within the Madison Metropolitan School District ("MMSD"), whereas the smaller parcel (#0608-122-0913-3) is presently attached to the Verona Area School District ("VASD").

Due to transactions that occurred a number of years ago under an inter-school-district "boundary agreement," all of the land surrounding the smaller parcel was attached to the MMSD. However, it appears that the smaller parcel on Maple Grove Drive was not attached to the MMSD, leaving that parcel as a somewhat unusual "island" of VASD territory. In connection with the rezoning request, the MMSD has begun to look into the status of the smaller parcel to determine (1) why the smaller parcel on Maple Grove Drive was not transferred to the MMSD at the time the surrounding territory was transferred; (2) whether the rezoning application would trigger any action under the inter-school-district boundary agreement; and (3) whether the VASD has any

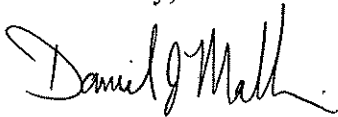
information in its records to clarify the long-term status of the smaller parcel. It appears that the smaller parcel may have been overlooked and/or treated in a manner different from the surrounding territory because it was owned by the VASD at one time and used for VASD programs, and because it has, heretofore, been a non-taxable parcel due to its tax-exempt uses (educational and religious).

Of some relevance to the discussion and decisions that are to be made with respect to the rezoning application and the potential development of the parcels, Chavez Elementary School (an MMSD elementary school) is located at 3502 Maple Grove Drive, which is just a few blocks south of the two parcels that are the subject of the rezoning application. To the extent that the smaller parcel were to remain within the VASD, and be rezoned and developed for a residential use, children residing in a building located within that "island" parcel would attend VASD schools, whereas children residing in a building located within the larger parcel would attend MMSD schools. To the extent that plans for development of the property include residential uses, the plans and/or the approval process may wish to take into account these somewhat unusual school district boundary issues.

At this time, MMSD is unable to provide further definitive information about the long-term status of the smaller parcel in regard to the boundaries of the two school districts. However, having recognized the issue, we believed it would be appropriate to raise the issue through the comment process. Although we have contacted VASD officials to identify the issue, we have not determined whether the City Planning Division provided the VASD with similar notice of the opportunity to comment on the rezoning application. Further, it is important for me to point out that this informational letter does not attempt to communicate a School Board position either in favor of, or against, the pending application.

To the extent you have any questions related to these comments, please contact me at 663-1868.

Sincerely,



Daniel J. Mallin  
MMSD Legal Counsel

CC: Daniel A. Nerad, MMSD Superintendent of Schools  
MMSD School Board

January 8, 2010

Dear Planning Commission assembly,

Unfortunately, my husband and I could not attend your meeting tonight. So on behalf of the Livesey Company we are writing a letter expressing our support for the development of the PD & Maple Grove project. We feel this addition to the West side of Madison and the adjacent neighborhoods could only be beneficial to our community.

First of all, by adding this type of development to our area will offer many opportunities to the public, consumers, city, and neighborhood aesthetics. This project will attract many public interests as well such as a Senior/Retirement facility, apartment homes, retail stores, restaurants and bank, along with other developments, with an overall community feeling. All these additions to our neighborhood would allow residents to be able to walk or bike to this new development.

We believe this project would also bring needed retail and restaurant businesses to consumers in the adjacent area. Even though we have the newly added Super Target, east of this planned development, there are still not enough retailers and restaurants past Maple Grove on PD. This forces consumers to either DRIVE to West Towne or DRIVE to Verona to find their needs. I believe in a city that is trying to truly be more "greener" this development would greater improve that task.

This project has a major benefit for the city too because it will also increase tax revenue for the city without the increase of cost for services provided. For example: the potential of tenants occupying retail space and the new residents signing leases in apartments.

The aesthetics of this upcoming property has a genuine curb appeal and could give the community a very positive neighborly feeling. This land has been vacant for so many years it doesn't give the neighborhood any sense of an attached property. Instead it just gives a sense of emptiness within it.

By letting the Livesey Company go ahead with this project in the near future, it will give the area a good sense of a new beginning from what is now an empty site. The surrounding residents can only flourish from it. It will also be an attraction for many residents, tenants and consumers. The developer has a well balanced agenda and offers substantial room for the intended property, with a solid basis of a community feeling.

My husband and I fully support this project by Livesey and believe it holds great value to our neighborhood and community.

Thank-you

Tracy and Jeff Spielman  
7202 Countrywood Lane  
Madison, WI 53719  
608-848-6524