

**City of Madison**  
**INTER-DEPARTMENTAL**  
**Correspondence**

**DATE:** December 11, 2009

**TO:** Madison Plan Commission

**FROM:** Michael Waidelich, Principal Planner

**SUBJECT:** Status of the draft Shady Wood Neighborhood Development Plan for Phases B and C.

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A resolution adopting the Shady Wood Neighborhood Development Plan recommendations for the Phase A (Phase 1) staging area was adopted by the Madison Common Council on July 21, 2009, including the Plan Commission recommendation that Phases B and C (Phases 2 and 3) be referred for six months. The referral was to allow additional time to work with certain property owners opposed to the land use recommendations for a broad open space conservation corridor that would accommodate the Ice Age National Scenic Trail. These owners had requested more time to prepare a response to the draft plan recommendations, and indicated that a planning consultant was being engaged by one or several of the owners to assist them.

In August, Planning staff prepared a draft outline for the plan review process. The proposed schedule anticipated a series of individual and/or group meetings with the concerned property owners, as well as with representatives of public agencies and private organizations interested in preserving an open space corridor for the Ice Age Trail. Through these meetings, it was hoped to determine more specifically how the owners would like to see the draft plan maps or narrative changed to address their concerns; to develop an outline of issues, choices and possible alternatives for all parties to consider; to seek to identify potential common understanding regarding the choices and alternatives; and, perhaps, move toward a common recommended alternative. This was to be followed by staff preparation of one or more draft alternatives to the current recommendations for the Phase B and C areas for discussion with the Plan Commission, property owners, open space supporters, and if needed, the larger neighborhood. The draft outline of the proposed plan review process is attached, for your information.

However, although the proposed schedule assumed that meetings would be held with the concerned property owners at several points in the process, these meetings have not occurred. Each of the owners was contacted in early September to arrange an initial meeting, but all decided that they would prefer to work through the hired planning consultant (Brian Munson of Vandewalle & Associates) rather than meet individually or collectively with City staff. Staff did meet with one of the owners, Charles Dykman, in late September, but it turned out that he had wanted to meet directly with a representative of the Ice Age Trail Alliance or other potential open space funding agency, and not with City staff. While contacts with open space funding agencies were subsequently arranged, Judge Dykman also elected to work through the Vandewalle group, at least for a while.

In late September, staff also had an initial meeting with Mr. Munson. This was primarily a background briefing for his benefit and, at that time, he had not yet met with most of the owners. At that time, he also was unable to provide staff with any details regarding the scope of his contract with the property owners or how he anticipated the process unfolding. He did receive a copy of the review process outline prepared by staff.

During September and October, staff was able to meet with representatives from the primary open space agencies and organizations. These included meetings with Kevin Thusius, Lands and Stewardship Manager for the Ice Age Trail Alliance, Stefanie Brouwer from the Wisconsin Department of Natural Resources, Laura Guyer from the Dane County Parks Department, and Kay Rutledge from the City of Madison Parks Division. Staff also had a meeting with Rich Henderson, representing The Prairie Enthusiasts. Mr. Henderson provided additional information regarding the original natural condition of the area along the terminal moraine. These meetings and subsequent communications confirmed that these agencies generally support the conceptual open space corridor recommended in the draft plan, and that the potential availability of funding for this proposed project is considered to be good.

Staff also arranged a December 1<sup>st</sup> walking tour of the Dykman property with Judge Dykman, Kevin Thusius, and Mike Wollmer, Executive Director of the Ice Age Trail Alliance. Brian Grady represented City Planning staff. The tour with the Ice Age Trail representatives was originally set up at the request of Judge Dykman, but was later expanded to also include Brian Munson and property owner Ken Keryluk, at their request. The properties walked included the Dykman property and a portion of the Keryluk property. This tour provided an opportunity for the property owners to meet staff from the Ice Age Trail Alliance and discuss the Trail, and an opportunity for Alliance staff to view the properties first hand.

At this time, staff have yet to receive any further information from Mr. Munson regarding his discussions with his clients or with others he apparently has also met with. Staff have also been unable to arrange another meeting with him to find out the current status of his work, or at least get a better understanding from him regarding his anticipated product and the expected schedule for its completion. Without this communication, staff obviously have been unable to think about ways the draft plan might be modified to address the concerns expressed by some property owners during the plan adoption process, let alone to discuss these concerns with them and with others interested in this process, including the Plan Commission, or to formulate one or more possible responses for consideration. In this situation, it currently appears very unlikely that any alternatives to the current draft recommendations for the Phase B and C areas could be available for consideration in January.

If you have any questions at this time, please give me a call at 266-4635. Thank you.

Also for your information, a PDF copy of the complete draft plan (of which only Phase A is adopted), and other materials related to the planning process are available on Legistar (ID No. 13482) and on the project website at: <http://www.cityofmadison.com/planning/shadywood.html>

- c. Madison Common Council  
David J. Cieslewicz, Mayor  
Mario Mendoza, Assistant to the Mayor