

**From:** [Marsha Cannon](#)  
**To:** [Plan Commission Comments](#)  
**Cc:** [Myadze, Charles](#)  
**Subject:** July 8 Agenda Item #6 - Legistar 83737 - 80 Units at Oak Park Terrace  
**Date:** Sunday, July 7, 2024 12:39:44 PM

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Dear Plan Commission members,

I urge you **NOT** to approve adding 80 mobile homes at Oak Park Terrace, 3901 Packers Avenue.

The location is not compatible with residential occupancy per the Federal Aviation Administration (FAA) because it lies completely within the 65-decibel noise exposure contour from aircraft operations at the Dane County Regional Airport. I've circled the location in red on Figure ES-2. Future Conditions (2027) Noise Exposure Map (pdf attached).\*

**Do you support endangering the health of people who will live in a location not compatible with residential use?**

Problems related to excess noise include stress-related illnesses, high blood pressure, speech interference, hearing loss, sleep disruption, and lost productivity. FAA does not provide noise mitigation for mobile homes.

Please, do not allow additional mobile homes in a dangerous location.

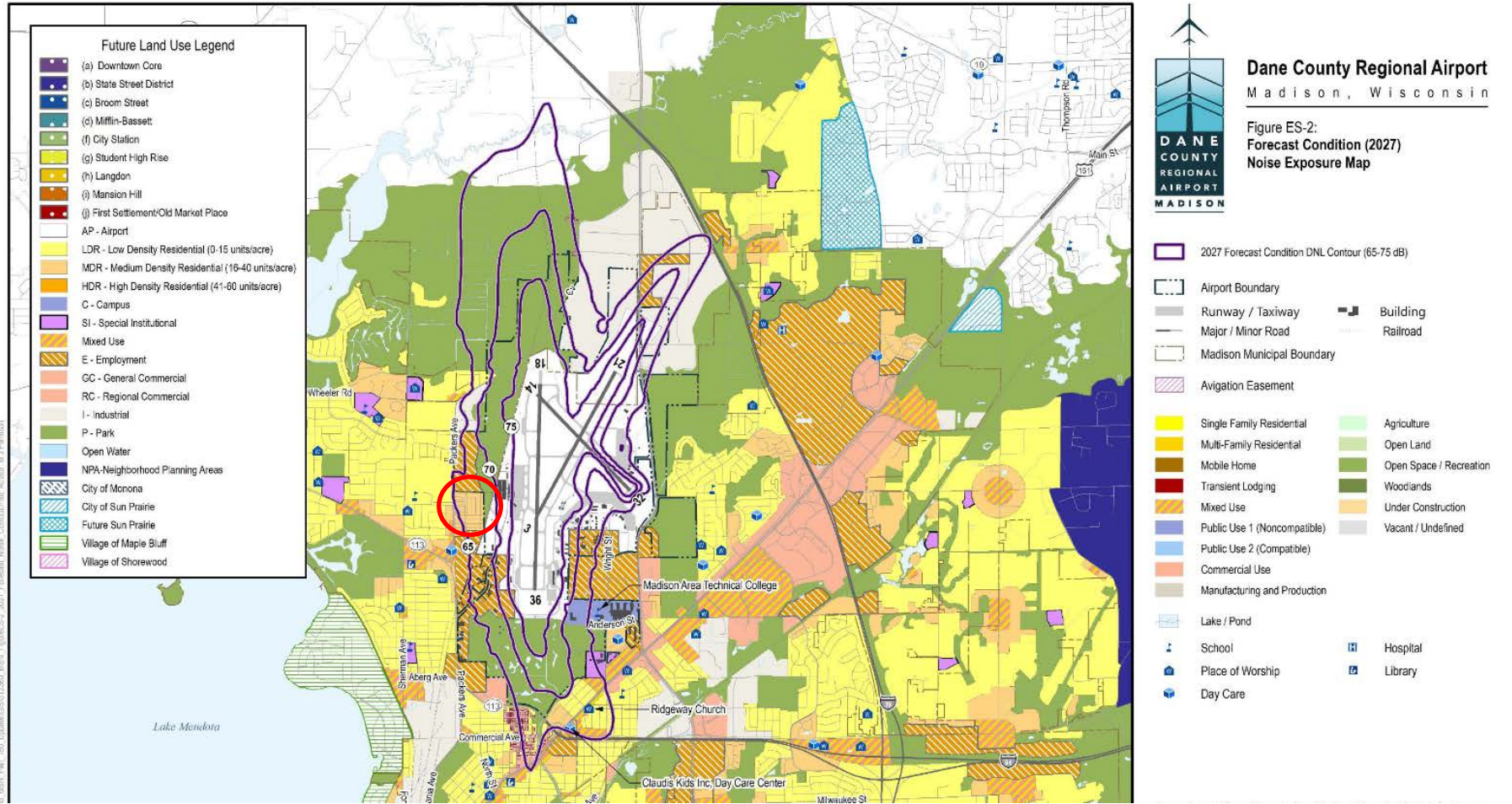
Sincerely,

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\*The map can be accessed at: <https://www.msnairport.com/documents/pdf/MSN-P150-NEM-Update-Final-20221228-Rev1.pdf>.

cc: Alderman Charles Myadze, D18

Figure ES-2. Future Conditions (2027) Noise Exposure Map



Plan Commission  
Meeting of July 8, 2024  
Agenda #6, Legistar 83737

The staff report states: "A Planned Mobile Home Park District is a specific type of Planned Development District and shall follow the review and approval process specified for the PD District." The staff report also states: "Staff note that the owner could choose to construct manufactured homes per the 1985 site plan without further approvals by Plan Commission or Common Council."

Whether the applicant could, at this time, construct manufactured homes per the 1985 site plan without any further approvals is, at best, questionable. MGO 28.098(5)(c)7. requires a new General Development Plan:

"Any Planned Development not constructed in accordance to its approved phasing plan, and *any phases not constructed within ten (10) years* of the Common Council approval of the General Development Plan, shall require approval of a new General Development Plan by the Common Council following a recommendation by the Plan Commission."(emphasis added, and it is worth noting that the Legistar title calls this item "the remaining phase")

Oak Park's development plan was approved in 1969 (per Legistar 08294). In 1985, as reported by staff, the Council approved an amendment to the Mobile Home Park – Specific Implementation Plan. In more recent years the only action taken with respect to the original site was an approval to split off the southern part of the site (now 2202 Darwin) by a CSM approved in 2008. No action has been taken within the past 10 years that would reset the 10-year clock.

A similar situation was addressed in a 2016 staff report, Legistar 43437, in which staff explained that approval of the underlying PD-GDP had expired, thus requiring re-approval of the plan (the expired plan had originally been approved by Council in 2002).

Major alterations may be approved by the Plan Commission if the requested alterations are consistent with the concept approved by the Common Council. MGO 28.098(6)(b). However, if plan approval has expired due to this phase not being constructed within 10 years, then the applicant is seeking approval of a new development plan. A new development plan would (1) need the Council's approval, (2) be required to comply with the PD objectives, and (3) be required to comply with the PD standards.

If the Oak Park plan approval has expired, then this requested alteration should be denied with prejudice - since Council action would be required, the alteration must first be introduced at Council.

Respectfully Submitted,  
Linda Lehnertz