



## Office of the City Attorney

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LITIGATION ASSISTANT  
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July 12, 2019

BY EMAIL AND HAND DELIVERY

Attorney Matthew Lee  
Foley & Lardner  
150 East Gilman St.  
Suite 5000  
Madison, WI 53703

RE: Edgewood High School

Dear Mr. Lee:

Last night, the Madison Zoning Board of Appeals (ZBA) denied the appeal by Edgewood High School (Edgewood) related to the Zoning Administrator's interpretation of the City's zoning code and the issuance of Notices of Violation to Edgewood.

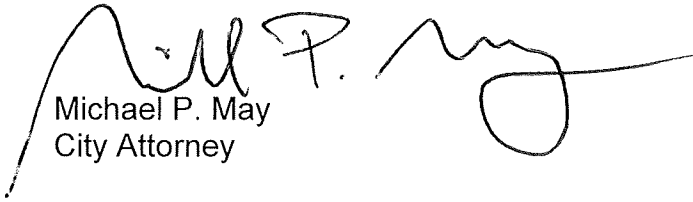
Further enforcement of the zoning code, the ZBA decision, and the notices of violation now rests with the discretion of the City Attorney. This is to inform you that I and my office will take no further enforcement steps unless and until we inform you of our decision to do so. We will give you ample notice of any planned enforcement.

At this time, Edgewood does not face the threat of any prosecution or other enforcement actions by the City. We invite Edgewood to file to terminate its Master Plan and return to the standard CI zoning, which would place it on equal footing with other high schools.

July 12, 2019

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Sincerely,

A handwritten signature in black ink, appearing to read "Michael P. May". The signature is fluid and cursive, with a large loop at the end. It is positioned above the typed name and title.

Michael P. May  
City Attorney

CC: Mayor Satya Rhodes-Conway  
Aldersperson Tag Evers  
Matt Tucker  
ACA John Strange

## Nathan J. Wautier

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**From:** Strange, John <JStrange@cityofmadison.com>  
**Sent:** Wednesday, July 17, 2019 4:24 PM  
**To:** Nathan J. Wautier  
**Cc:** May, Michael; Tucker, Matthew  
**Subject:** Edgewood High School

Attorney Wautier,

Given the Zoning Board of Appeals ruling on July 11, you asked me to describe the legal avenues for permitting games and lights under the CI District Ordinance. Under the CI District Ordinance, Edgewood has three options to legally play games and install lights at its field. First, Edgewood can amend its Campus Master Plan to describe the open space as a stadium with lights. If approved, this would allow Edgewood to play games at its field and have lights. Second, Edgewood could ask the City to repeal the ordinance that adopted its Master plan. As a consequence of repealing its Master Plan, Edgewood would revert to the standard regulations of the CI District in the zoning code, which would allow games and lights at the field. However, repealing the Master Plan means, among other things, that Edgewood will lose the remaining development entitlements contained in the Campus Master Plan. Going forward, individual development proposals and changes that exceed four thousand (4,000) square feet in floor area, including the construction of bathrooms, concessions stands or locker rooms associated with the athletic field, would require conditional use approval, to which the City could attach conditions related to the use of the entire facility. Finally, a third option would be for Edgewood wait until the 10-year Master Plan expires, in which case Edgewood would have the same rights as described under the second option above (terminating the Master Plan).

If Edgewood wishes to terminate its Master Plan, it must complete a land use application similar to the one it completed to have the Master Plan approved in 2014. Since the Master Plan applies to the high school, college, and day school, the person who signs the application on behalf of Edgewood must be authorized by all three entities to pursue the termination of the Master Plan. By way of reference, the following link includes the original land use application Edgewood filed to approve the Master Plan in 2014.

<https://madison.legistar.com/View.ashx?M=F&ID=2947602&GUID=0E09F8F2-1CFA-42BA-AB3F-E820C7292CFB>

Please let me know if you have any other questions.

Sincerely,

John Strange

John W. Strange  
Assistant City Attorney  
Madison, Wisconsin  
608-266-4511