

City of Madison
Plan Commission
ATTN: Nancy E. Fey, Chairperson

c/o Planning & Community & Economic Development
215 MLK Jr Blvd., Suite LL100
Madison, WI

5 May 2008

Dear Plan Commissioners:

The *Friends of Cherokee Marsh* would like to offer their tentative support for Cherokee Park Inc.'s plans to develop Subarea 5 of the Cherokee Special Area Plan, the lower 20 or so acres of what is also know as "the 5th Addition."

The developer has reported that stormwater runoff will be managed for 100-year events. We applaud this approach, which may have the added advantage of risk management for the City as a corporation, with regard to complaints from nearby neighbors or downstream property owners about increased flooding. The Friends ask that the stormwater management plan be considered carefully by City staff, including Parks, for its impact on the marsh, especially with direction of overflow from any engineered features during 100-year events.

The developer has promised that the 100-year level will be attained in part by deploying natural/native landscaping across almost all of the development. This seems to be an improvement over the developer's last proposal, the three DUs recently approved for Burning Wood Way, where there the current plans seem to indicate that much turf will be planted in a location that is close to the Yahara watershed and to areas in which the public has invested much in marsh restoration.

The size of the DUs that may be built could be problematic, because of the nature of this area. The developer has stated that building footprints will occupy about 33% of the total lot acreage (22% if open space is included), and suspects that owners will choose to build smaller than this. Because this development is so near the marsh and river, and because the neighborhood already has stormwater runoff issues, the Friends had asked the developer to work toward a 10% total impervious surface, as would be appropriate under unapproved rules drafted by the DNR last year, if this were a legally designated shoreline (which is in fact the relationship that this upland has to the marsh and other surrounding wetlands). The Plan Commission might, before this development proceeds to the City Council, request that Plan staff work further with CPI toward this goal, perhaps by defining a maximum total built impervious square-footage for the development, within which individual owners can build to the size that they need.

The developer also has stated that all the Subarea 5 homes have been oriented to allow each home to be built with a solar roof. That, along with control of building height as recommended by planning in the SAP, should allow for solar heating of many of these homes. The Friends request that the effect of the building sightlines be checked by City parks staff.


Since November, the Friends have been meeting with the developer and communicating with City officials, toward finding a way to enroll this development in the LEED Neighborhood Design pilot program. We hope to continue that effort after tonight.

It would be reassuring to have as much as possible of the developer's intentions formally codified for future reference, perhaps as "conservancy subdivision" language within the subdivision covenant.

At some point the Friends hope that the City Council and Mayor move toward requiring such environmental enhancements by ordinance, so that all developers are treated fairly. E.g., some cities have ordinances requiring solar lot orientation and even solar-ready roofs (a modest expense these days, as units grow lighter). Some cities require increasingly "greener" LEED certification as footprint increases (e.g., ≤ 3000 sf must have LEED silver, 3000-5000sf must have gold, > 5000 sf must have platinum certification). (The Friends however think that the LEED Neighborhood Development certification will be more cost-effective, and continue to hope that the City will help CPI enroll this and future developments in the pilot program.)

Again, the Friends appreciate the responsiveness that CPI has demonstrated for our concerns, as well as those of nearby neighbors, and all those who live downstream on the Yahara. We hope to continue communicating with the developer's team during the coming months, toward an even "greener" approach.

Sincerely,


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