



Location

3822-3902 Evan Acres Road

Applicant

Angie Waege - Ho-Chunk Nation

From: Temp A To: C2

Existing Use

Undeveloped land & unimproved parking lot

Proposed Use

Construct accessory off-site parking lot for Ho-Chunk Gaming Madison

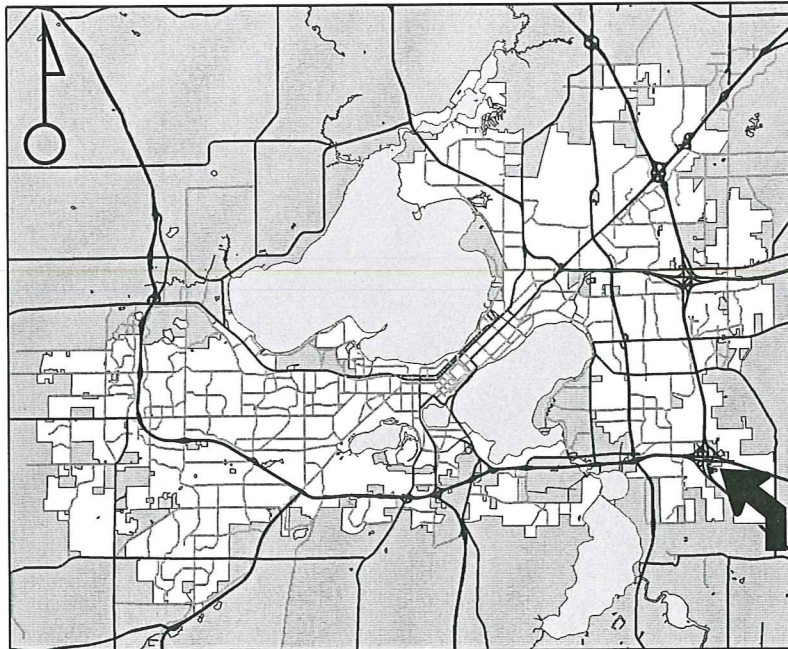
Public Hearing Date

Plan Commission

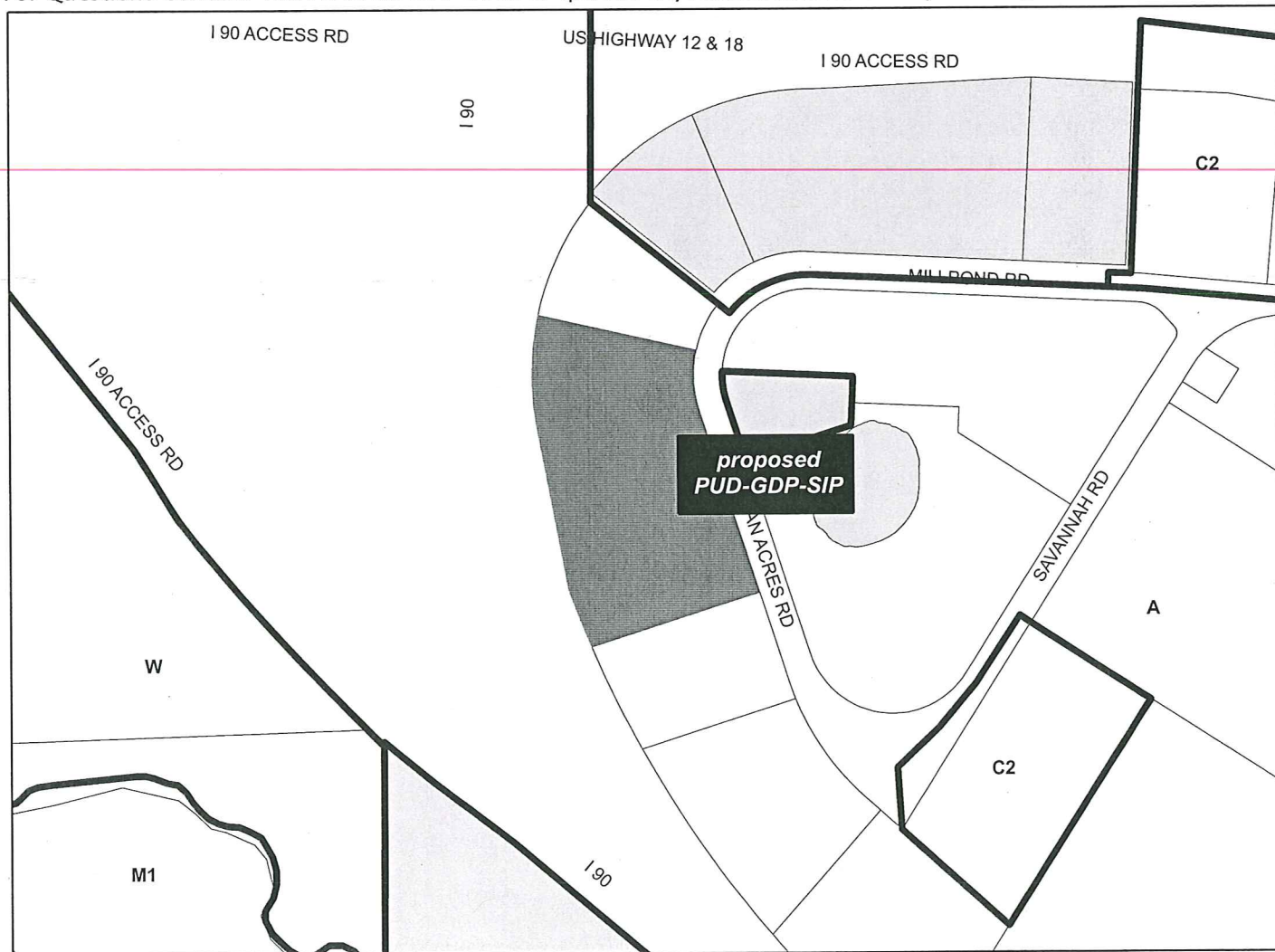
23 July 2012

Common Council

07 August 2012



For Questions Contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



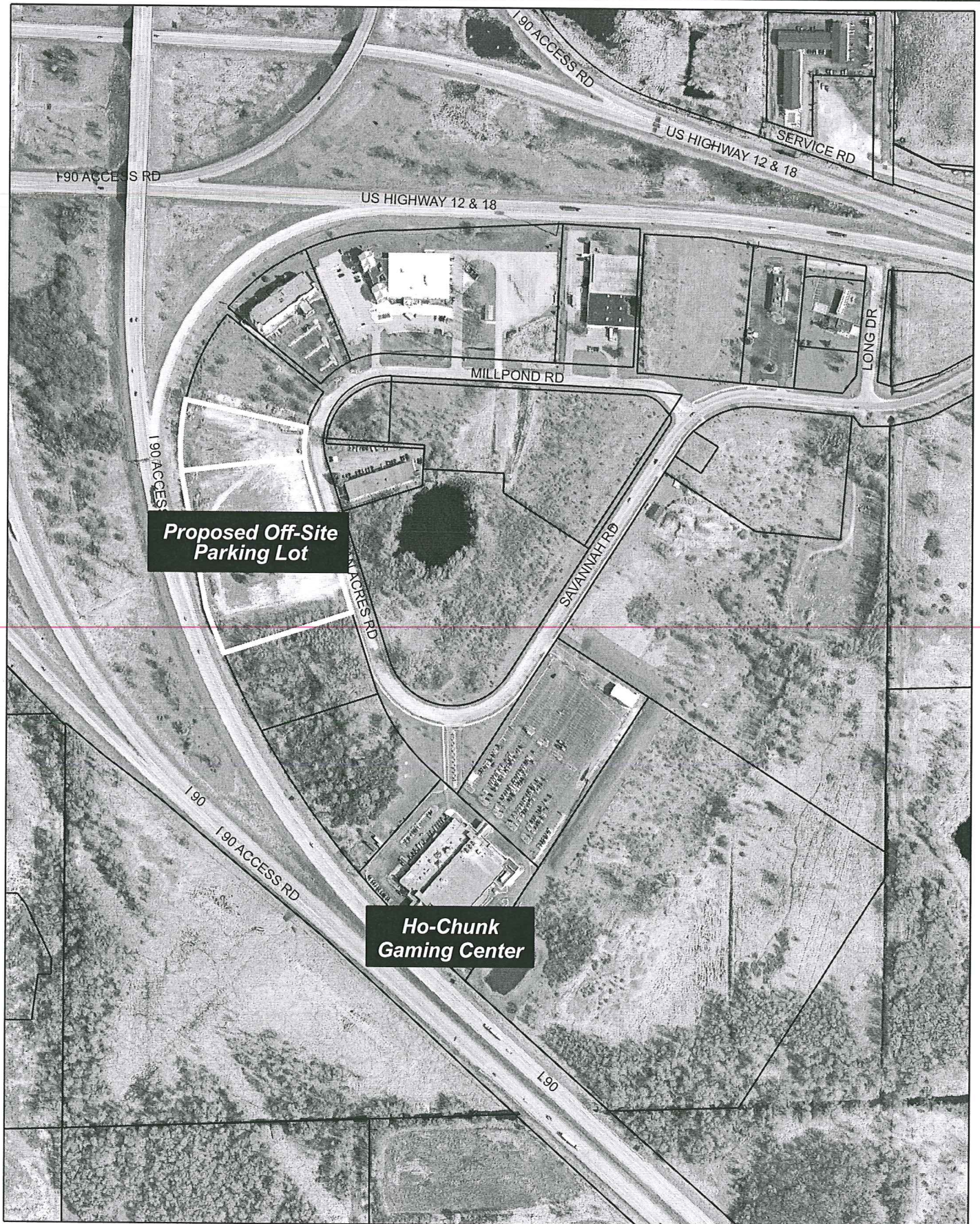
Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date 10 July 2012



Date of Aerial Photography : Spring 2010

5-4





LAND USE APPLICATION Madison Plan Commission

215 Martin Luther King Jr. Blvd; Room LL-100
PO Box 2985; Madison, Wisconsin 53701-2985
Phone: 608.266.4635 | Facsimile: 608.267.8739

- The following information is required for all applications for Plan Commission review except subdivisions or land divisions, which should be filed with the Subdivision Application.
- Before filing your application, please review the information regarding the **LOBBYING ORDINANCE** on the first page.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at www.cityofmadison.com/planning/plan.html
- All Land Use Applications should be filed directly with the Zoning Administrator.

FOR OFFICE USE ONLY:	
Amt. Paid	<u>\$1100</u> Receipt No. <u>132061</u>
Date Received	<u>6/1/12</u>
Received By	<u>POA</u>
Parcel No.	<u>0710-261-0302-9, 0303-7</u>
Aldermanic District	<u>16 Jill Sottasow</u>
GQ	<u>East C.V.</u>
Zoning District	<u>A</u>
For Complete Submittal	
Application	Letter of Intent <u>✓</u>
IDUP	Legal Descript. <u>✓</u>
Plan Sets	Zoning Text <u>✓</u>
Alder Notification	<u>✓</u> Waiver
Ngrbrhd. Assn Not.	Waiver
Date Sign Issued	

1. **Project Address:** 3822 & 3902 Evan Acres Road **Project Area in Acres:** 7.1

Project Title (if any): North Parking Lot - Paving/Improvements - Rezoning Request

2. **This is an application for:**

Zoning Map Amendment (check the appropriate box(es) in only one of the columns below)	
<input checked="" type="checkbox"/> Rezoning to a Non-PUD or PCD Zoning Dist.: Existing Zoning: <u>Temporary A</u> to Proposed Zoning (ex: R1, R2T, C3): <u>C2</u>	Rezoning to or Amendment of a PUD or PCD District: <input type="checkbox"/> Ex. Zoning: <u>Temporary A</u> to PUD/PCD-GDP <input type="checkbox"/> Ex. Zoning: <u>Temporary A</u> to PUD/PCD-SIP <input type="checkbox"/> Amended Gen. Dev. <input type="checkbox"/> Amended Spec. Imp. Plan
<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Demolition Permit
<input type="checkbox"/> Other Requests (Specify): _____	

3. **Applicant, Agent & Property Owner Information:**

Applicant's Name: Ho-Chunk Nation Company: Federally Recognized Indian Government
 Street Address: W9814 Airport Rd. POB 667 City/State: Black River Falls/WI Zip: 54615
 Telephone: (715) 284-9186 Fax: (715) 284-1536 Email: angie.waege@ho-chunk.com

Project Contact Person: Angie Waege/Project Manager Company: Ho-Chunk Nation Dept. of Business
 Street Address: W9814 Airport Rd. POB 667 City/State: Black River Falls/WI Zip: 54615
 Telephone: (715) 284-9186 Fax: (715) 284-1536 Email: angie.waege@ho-chunk.com

Property Owner (if not applicant): Ho-Chunk Nation
 Street Address: W9814 Airport Rd. POB 667 City/State: Black River Falls/WI Zip: 54615

4. **Project Information:**

Provide a brief description of the project and all proposed uses of the site: _____
 Improve the over-flow parking lot by blacktopping, landscaping, compliant light poles and safe walkways.

Development Schedule: Commencement ASAP Permit is Granted Completion Target Date: 11.1.2012

5. Required Submittals:

- Plans** submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:
 - **7 copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
 - **7 copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
 - **1 copy** of the plan set reduced to fit onto 8 ½ inch by 11 inch paper
- Letter of Intent (12 copies):** describing this application in detail including, but not limited to: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.
- Legal Description of Property:** Lot(s) of record or metes and bounds description prepared by a land surveyor. For any application for rezoning, the description must be submitted as an electronic word document via CD or e-mail. For applications proposing rezoning to more than one district, a separate description of each district shall be submitted.
- Filing Fee:** \$ 1100 See the fee schedule on the application cover page. Make checks payable to: *City Treasurer*.
- Electronic Submittal:** All applicants are required to submit copies of all items submitted in hard copy with their application (including this application form, the letter of intent, complete plan sets and elevations, etc.) as Adobe Acrobat PDF files on a non-returnable CD to be included with their application materials, or in an e-mail sent to pcapplications@cityofmadison.com. The e-mail shall include the name of the project and applicant. Applicants unable to provide the materials electronically should contact the Planning Division at (608) 266-4635 for assistance.

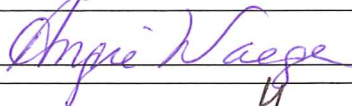

In Addition, The Following Items May Also Be Required With Your Application:

- For any applications proposing demolition or removal of existing buildings, the following items are required:
 - Prior to the filing of an application, the applicant or his/her agent is required to notify a list of interested persons registered with the City **30 or 60 days prior to filing** their application using the online notification tool found at: <https://www.cityofmadison.com/developmentCenter/demolitionNotification/>
 - A photo array (6-12 photos) of the **interior and exterior** of the building(s) to be demolished or removed. A written assessment of the condition of the building(s) to be demolished or removed is highly recommended.
 - Note: A Reuse and Recycling Plan approved by the City's Recycling Coordinator is required prior to issuance of wrecking permits and the start of construction.
- Zoning Text (12 copies):** must accompany Planned Community or Planned Unit Development (PCD/PUD) submittals.

6. Applicant Declarations:

- Conformance with adopted City plans:** Applications shall be in accordance with all adopted City of Madison plans:
 - The site is located within the limits of City of Madison Comprehensive Plan, which recommends: General Commercial for this property.
- Pre-application Notification:** Section 28.12 of the Zoning Code requires that the applicant notify the district alder and any nearby neighborhood & business associations in writing no later than **30** days prior to filing this request:
 - List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices:
Jill Johnson, Alder District 16. Date of Notices: 3.6.2012 and 4.27.2012
 - NOTE: If the alder has granted a waiver to this requirement, please attach any such correspondence to this form.
- Pre-application Meeting with staff:** Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning and Planning Division staff; note staff persons and date.
 - Planning Staff: Brad Murphy/Tim Park Date: 4.23.12 Zoning Staff: Matt Tucker Date: 4.23.12
- Check here if this project will be receiving a public subsidy.** If so, indicate type in your Letter of Intent.

The signer attests that this form is accurately completed and all required materials are submitted:

Printed Name Angie Waege Date 5.25.12
 Signature  Relation to Property Owner DOB Project Manager
 Authorizing Signature of Property Owner  Date 5-31-2012
 Effective May 1, 2009 **GREG BLACKDEER**



HO-CHUNK NATION
PEOPLE OF THE BIG VOICE

LETTER OF INTENT

May 31, 2012

Bradley J. Murphy
City of Madison Department of Planning and Development
215 Martin Luther King, Jr. Blvd. Room LL-100
PO Box 2985
Madison, Wisconsin 53710

Subject: Ho-Chunk Nation Land Use Application C2 Zoning & Conditional Use for “North”
Parking Lot –

Dear Mr. Murphy:

The Ho-Chunk Nation (“Nation”) hereby submits this Land Use Application pursuant to the application form attached as **Exhibit A**. This Land Use Application requests a re-zoning of the Nation Fee Property to **C2 COMMERCIAL ZONING** subject to and in accordance with that certain Intergovernmental Agreement dated August 25, 1998 between the City of Madison (“City”) and the Nation (“IGA”). The Nation has provided 30 days prior written notice of this Land Use Application to Alder Johnson pursuant to the letter attached hereto as **Exhibit B**. This application requests approval for conditional use for an **Accessory Parking Lot** located on Evan Acres Road for use of overflow parking at the Ho-Chunk Gaming Madison facility.

This Land Use Application is made with regard to those parcels of real property owned in fee by the Nation, depicted on the attached **Exhibit D**, and legally described on the attached **Exhibit G** (“Nation Fee Property”). The Nation’s Legislature approved this Land Use Application for submittal to the City on June __, 2012 pursuant to its resolution attached as **Exhibit N**. Attached please find a check made out to the City Treasurer in the amount of \$1,100 in payment of the \$1,100 filing fee per the Land Use coversheet fee schedule.

The Nation Fee Property is located at the southeast corner of the intersection of Highway 12 and Interstate 39 in an area termed the “Development Area” in the IGA. Also located in the Development Area is the Ho-Chunk Gaming-Madison Gaming Facility (“Gaming Facility”). The Gaming Facility is located on lands owned by the United States Department of the Interior, Bureau of Indian Affairs, in trust for the Nation (the “Trust Property”). In accordance with federal law and the IGA, the Gaming Facility and Trust Property are not subject to municipal zoning, planning or land use ordinances and are therefore excluded from this Land Use Application.

This Land Use Application requests reclassification of zoning for two parcels of Nation Fee Property and seeks C2 zoning for Parcels 4 and 5. Parcel 1 a similar surface parking lot was approved in 1998 as a Conditional Use by the City Planning Commission and is located immediately adjacent to the Trust

HO-CHUNK NATION
PEOPLE OF THE BIG VOICE

Property (“East Parking”). The proposed North Parking Lot on parcels 4 & 5 will provide additional parking for 465 autos and 9 semi-truck/motor coach bus stalls. Immediately upon reclassification to C2 zoning the Ho-Chunk Nation BIA Roads will initiate a pending contract to have the North parking lot paved and landscaped. Target date for completion of improvements is November 1, 2012. Additional, storm water collection and distribution will be provided in accordance with applicable regulations. The accessory parking improvement and use are further described in the “Development Plan” attached as Exhibit I and the “Plans” attached hereto as Exhibit E, J and K.

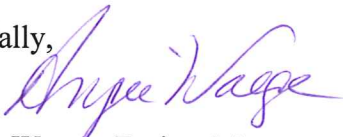
History: The Nation Fee Property and the Development Area are part of the ancestral home of the Ho-Chunk Nation and its members, part of territory extending from Green Bay, beyond Lake Winnebago to the Wisconsin River and to the Rock River in Illinois. At that time, the U.S. Government recognized the Ho-Chunk as a sovereign Nation. The U.S. Government recognized the Ho-Chunk held title to more than 7 million acres of some of the finest land in the continent. Within 10 years (1846), the U.S. government reversed its position. The Ho-Chunk were forced to sell their remaining lands at a fraction of their worth and were removed from Wisconsin. The Wisconsin Ho-Chunk do not have lands “reserved” (a reservation) in Wisconsin. Instead, all Wisconsin Ho-Chunk tribal lands are lands purchased by the Nation. Ho-Chunk Nation Trust Land base is less than four and one-half acres located at 4002 Savannah Road, Madison, Wisconsin.

Land Use: 3822 and 3902 Evan Acres Road were purchased by the Nation in 1998. The City and Nation entered into the IGA on August 25, 1998, with the Nation thereafter constructing and operating its current Class II Gaming Facility. Opening in 2001, the Nation has since operated an efficient, orderly and attractive facility and operation, one that has contributed substantially to charitable causes in the Madison area. The Nation employs approximately 310 full-time employees providing each of those employees with, among other benefits, comprehensive health, dental and eye care coverage. Maintaining and growing Ho-Chunk Gaming Madison remains a primary business for the Nation.

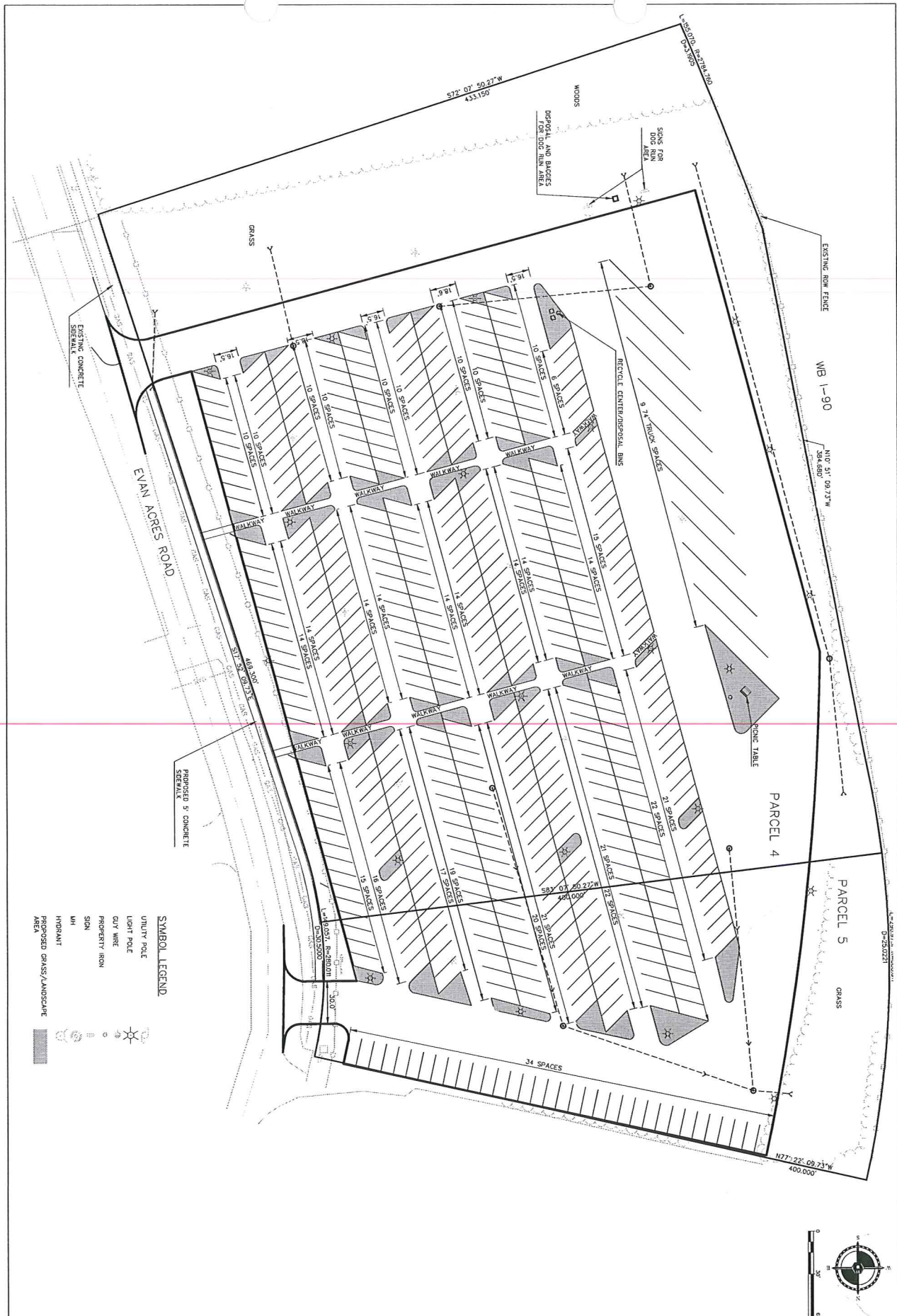
Our site plans for the accessory parking lot have been developed by Coleman Engineering Company for paving, landscaping and lightening. Exhibit E

Thank you and your staff for your patience, expertise and responsiveness. We thank you and the other members of the Joint Planning Committee, Alder Johnson and Mr. Arnold, for their public service and commitment to this process.

Cordially,



Angie Waege, Project Manager
Ho-Chunk Nation Department of Business



SYMBOL LEGEND

- UTILITY POLE
- LIGHT POLE
- CLY WIRE
- PRIORITY SIGN
- SIGN
- MH
- HYDRANT
- PROPOSED GRASS/LANDSCAPE AREA



SS
DRAWING NO.

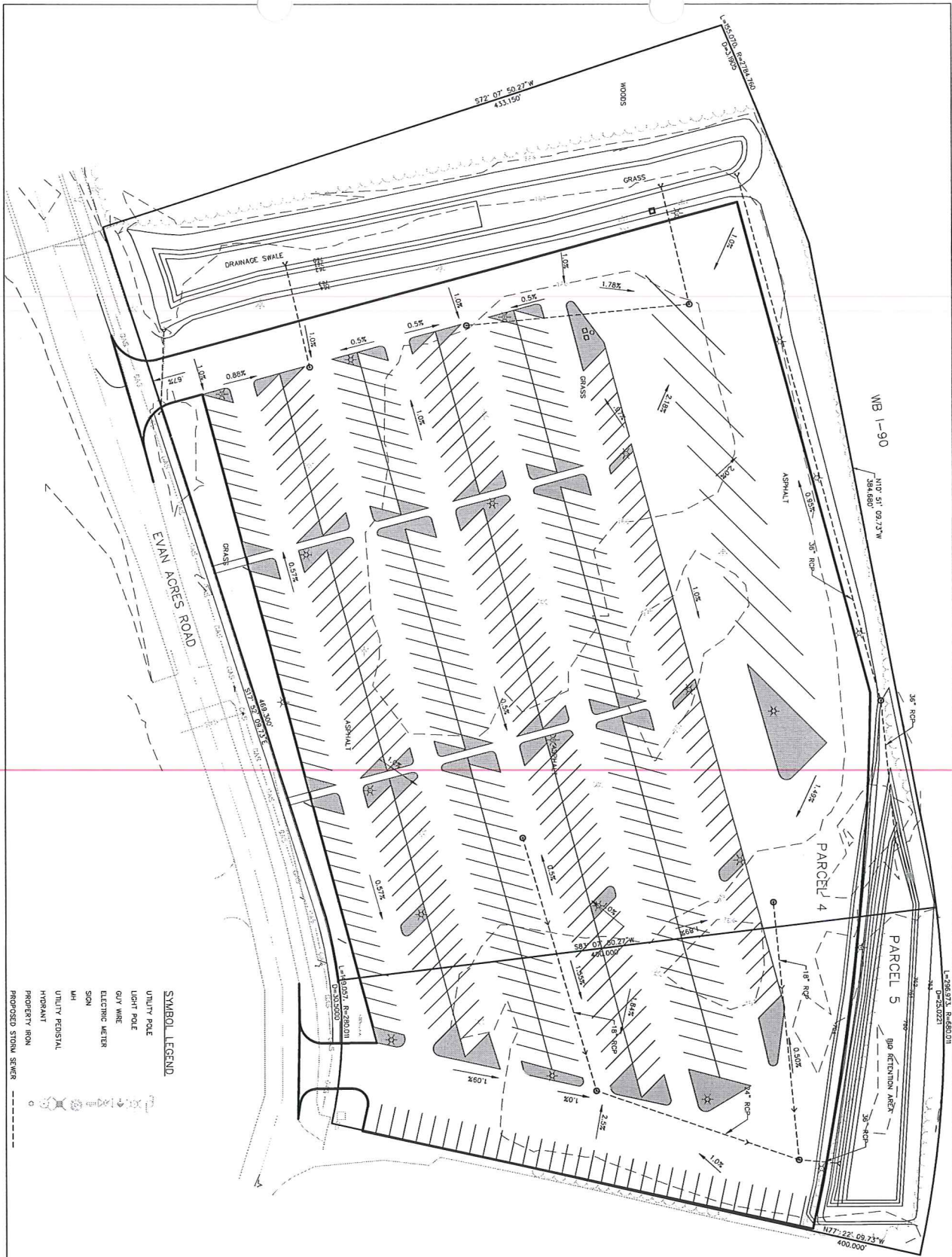
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 DRAWN BY: CEC
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 CHECKED BY: CAD PROJECT: 10297
 DATE: 3/23/12

CLIENT: HO-CHUNK NATION DEPARTMENT OF BUSINESS

SHEET NAME: PARCEL 4 & 5 SITE PLAN

CE COLEMAN ENGINEERING COMPANY
 835 CIRCLE DRIVE - IRON MOUNTAIN, MICHIGAN 49001 (906) 774-3440
 200 EAST AYER STREET - IRONWOOD, MICHIGAN 49938 (906) 932-5048

5-6



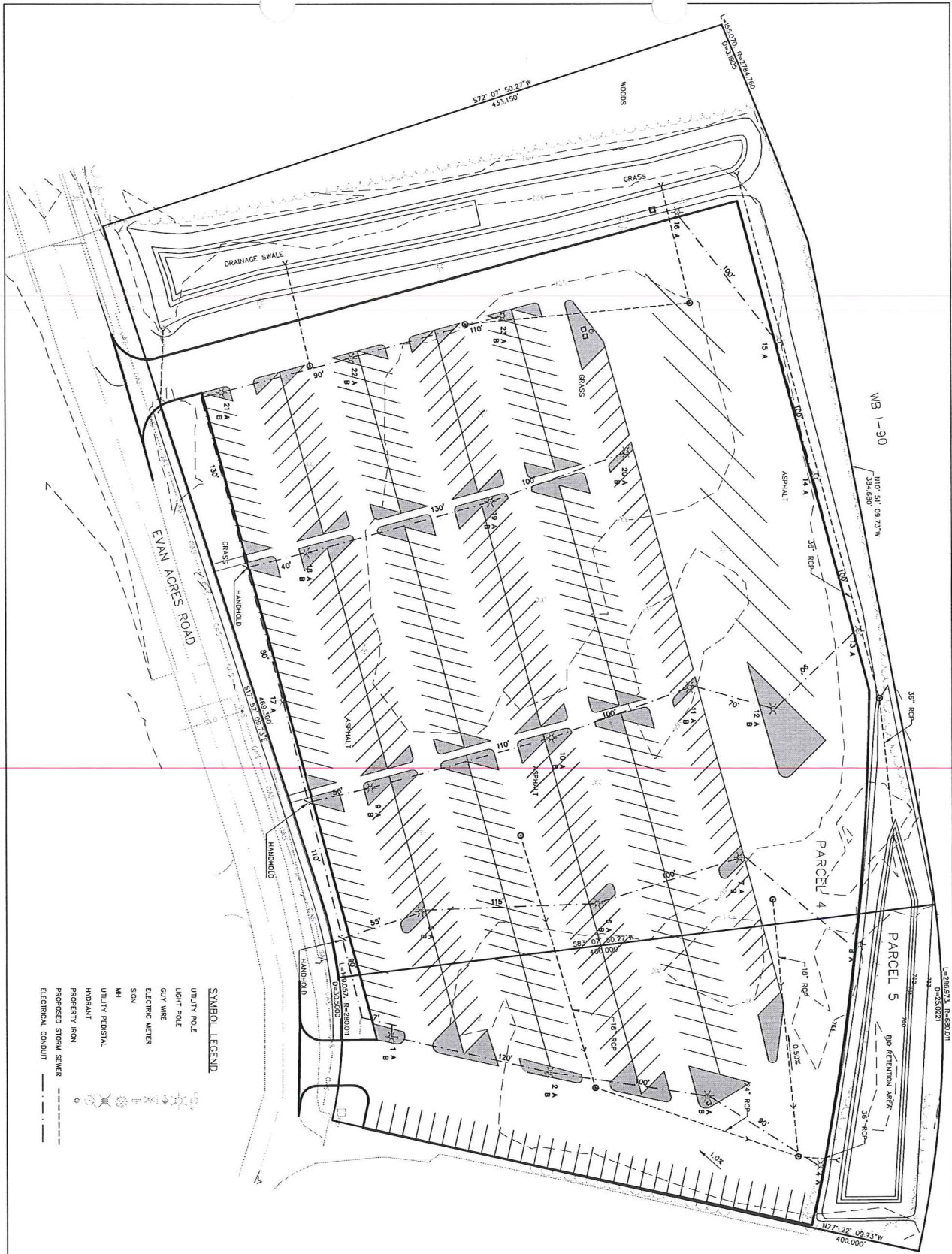
- SYMBOL LEGEND**
- UTILITY POLE
 - LIGHT POLE
 - GLY WIRE
 - ELECTRIC METER
 - SIOW
 - MH
 - UTILITY PERSONAL
 - HYDRANT
 - PROPERTY IRON
 - PROPOSED STORM SEWER

SURVEYED BY: G. GOETZKA
 DATE: 3/23/12
 DRAWN BY: CEC
 CHECKED BY: CEC
 CAD DRAWING: 10297_64/psa_base.dwg
 CAD PROJECT: CAD10297

CLIENT: HO-CHUNK NATION
 DEPARTMENT OF BUSINESS

SHEET NAME: PARCEL 4
 GRADING PLAN

CE COLEMAN ENGINEERING COMPANY
 635 CIRCLE DRIVE - IRON MOUNTAIN, MICHIGAN 49801 (906) 774-3440
 200 EAST AYER STREET - IRONWOOD, MICHIGAN 49938 (906) 932-5048



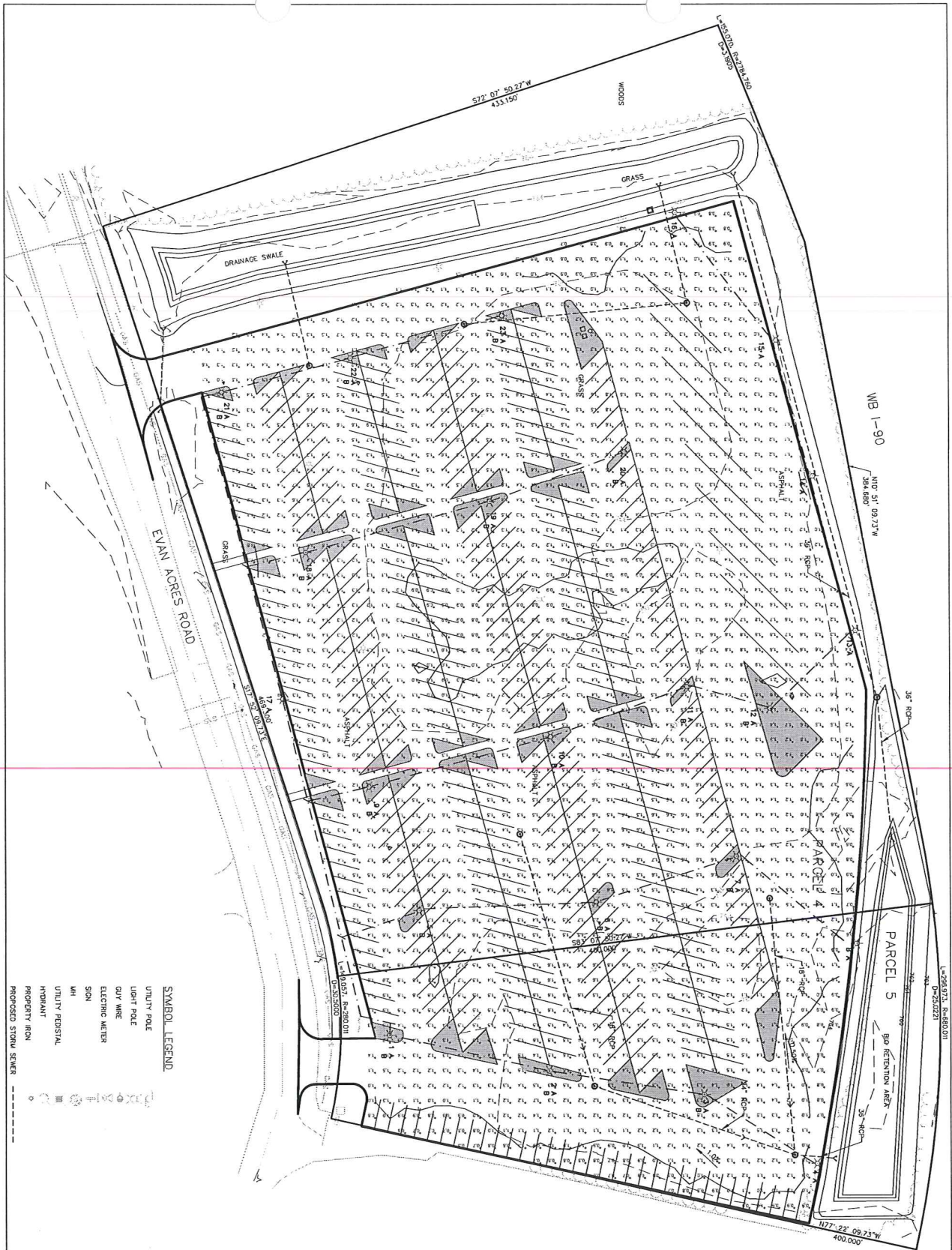
SYMBOL LEGEND

	UTILITY POLE
	LIGHT POLE
	CLAY WIRE
	ELECTRIC METER
	SIGN
	UTILITY PEDISTAL
	HYDRANT
	PROPERTY IRON
	PROPOSED STORM SEWER
	ELECTRICAL CONDUIT

DRAWING NO. 2E1	SURVEYED BY: G GOETZKA	DESIGN BY: CEC	CAD DRAWING: 10297_drfloor_base.dwg	CLIENT: HO-CHUNK NATION DEPARTMENT OF BUSINESS
	DATE: 3/25/12	CHECKED BY: CEC	CAD PROJECT: CA010297	SHEET NAME: PARCEL 4 SITE ELECTRICAL PLAN

COLEMAN ENGINEERING COMPANY 630 CIRCLE DRIVE - IRON MOUNTAIN, MICHIGAN 48801 (906) 774-5440 200 EAST AYER STREET - IRONWOOD, MICHIGAN 49930 (906) 932-5048

5-6



SYMBOL LEGEND

- UTILITY POLE
- LIGHT POLE
- GLY WIRE
- ELECTRIC METER
- SIEN
- MH
- UTILITY PEGSIAL
- HYDRANT
- PROPERTY IRON
- PROPOSED STORM SEWER

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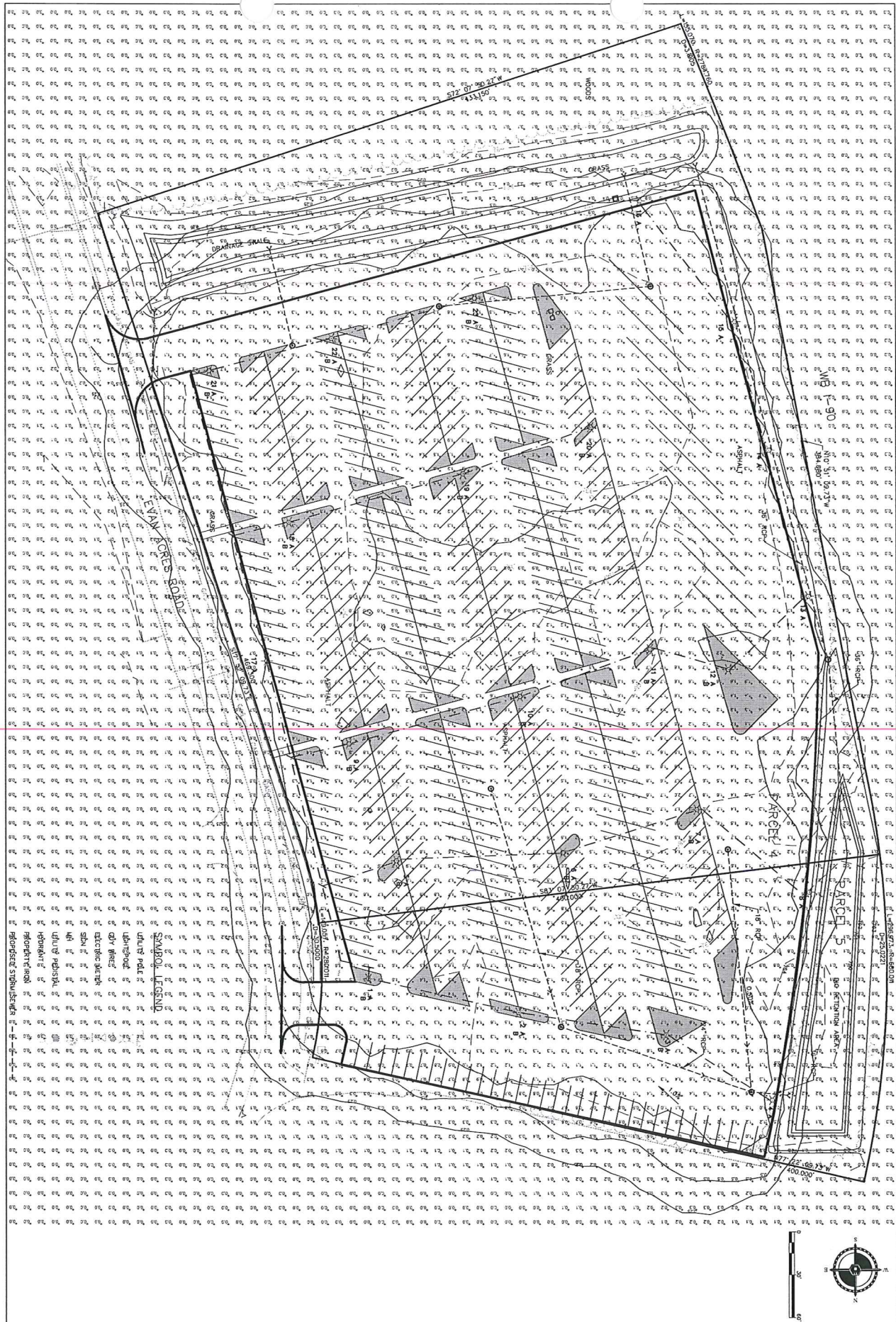
SURVEYED BY: C COETZKA
 DATE: 3/23/12

CLIENT: HO-CHUNK NATION
 DEPARTMENT OF BUSINESS

SHEET NAME: PARCEL 4
 PARKING LOT LUMINA LEVELS

CE COLEMAN ENGINEERING COMPANY
 835 CIRCLE DRIVE - IRON MOUNTAIN, MICHIGAN 49801 (906) 774-3440
 200 EAST AVER STREET - IRONWOOD, MICHIGAN 49938 (906) 932-5048

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 SURVEYED BY: C GOETZKA
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 CAD PROJECT: CAD10297

CLIENT:
**HO-CHUNK NATION
 DEPARTMENT OF BUSINESS**

SHEET NAME:
**PARCEL 4
 PARKING LOT LUMINA LEVELS**

CE COLEMAN ENGINEERING COMPANY
 635 CIRCLE DRIVE - IRON MOUNTAIN, MICHIGAN 48001 (906) 774-3440
 200 EAST AYER STREET - IRONWOOD, MICHIGAN 49938 (906) 932-5048

5-6

LANDSCAPE WORKSHEET
 Parking Lots, Storage Areas and Loading Areas
 (Section 28.04 Madison General Ordinance)

Project Location/Address:
Name of Project:
Owner/Contact:
Address:

FOR PARKING LOTS WITH GREATER THAN 20 STALLS, LANDSCAPE PLANS MUST BE STAMPED BY A REGISTERED LANDSCAPE ARCHITECT

I. Number of Trees Required

The number of trees required for a parking lot is based on the number of parking stalls. Using the Schedule for Required Trees on the reverse side of this worksheet, determine the number of trees required. (Example: One tree is required for 10 parking stalls).

Landscape requirements for storage areas are determined by dividing the total square footage of the storage area by (300) square feet. This converts area to stalls.
 [Example: 10,000 square feet is equivalent to (33) stalls or (3) trees and (160) points].

Number of Parking Stalls _____ **470**

Total Square Footage of the Storage Area _____
 Divided by Three Hundred (300) Square Feet _____ **-**

Number of Canopy Shade Trees Required (2" - 2 1/2" Caliper) _____
 (See Schedule on reverse side) _____ **27**

TOTAL

II. Number of Landscape Points Required

The number of points required is also based on the number of parking stalls. Using the Point Schedule for Landscape Elements on the reverse side of this worksheet, determine the number of points required. (Example: 49.5 points are required for 10 stalls). A point fraction of (.5) or less may be disregarded, while a fraction in excess of (.5) must be counted as one point. Thus: 49.5 points would be rounded down to 49.0 points required.

The number of points required for loading areas is (75) points for each loading berth. _____
 (See Schedule on reverse side) _____ **-**

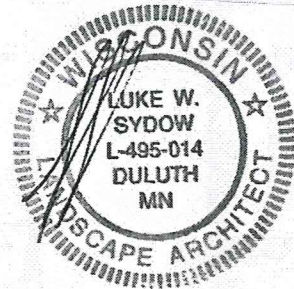
TOTAL

Number of Points Required (See Schedule on reverse side) _____ **1598.6**

Tabulation of Points and Credits

Indicate below the quantity and points for all pertinent landscape elements. Also, credit information for boundary screening and any existing elements to be retained.

ELEMENT	POINT VALUE	QUANTITY	POINTS ACHIEVED	CREDITS	
				QUANTITY	POINTS
Canopy Tree: 2" - 2 1/2"	35	45	1575		
Deciduous Shrub	2				
Evergreen Shrub	3				
Decorative Wall or Fence (per 10 L.F.)	5				
Earth Berm (per 10 L.F.)					
Avg. Height 30"	5				
Avg. Height 15"	2				
Evergreen Trees 3' height minimum	15			2	30
Canopy Tree or Small Tree 1 1/2" - 2" Caliper (i.e., Crab, Hawthorn)	15				
Sub Totals			1575	+	30



TOTAL = **1605**

*Trees required in Part I above, are not to be included in the point count.

Total No. of Points Provided (Equal to or greater than points required)

Approved by: _____ Date: _____

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EXHIBIT I

Development Plan

Proposed Land Use: The once zoned commercial lots that were under the town of Blooming Grove held the Ramada Inn and Quality Inn that since have been razed in 2001. At this time the Ho-Chunk Nation proposes to use the empty lots for overflow parking however it is in great need of improvement. The Ho-Chunk Nation has earnestly been making plans for improvements to the lots as well as meeting the last two-years working with the city of Madison's zoning department to achieve rezoning. The conceptual plans earmark a paved parking lot that includes landscaped islands, safe access walkways, directional signs, and lighting will serve the local business community well for their annual events. The added paved parking lot will be providing an added amenity to our guests with large vehicles such as semi-trucks and RV/trailer travelers. A shuttle service will be servicing the North parking lot as an added amenity by providing an accessory parking for 474 vehicles. The current main parking lot known as the East Parking Lot has 665 parking spaces of which 60 are handicapped. Documentation shows that the past 6 months average patronage is 276,825 customers; the low month in January 2012 serving 213,817 customers and March 2012 HCG Madison served 355,550 customers. **(Exhibit L & M)**

Access: Access is a key concern with the development of the Nation's Fee Lands. Portions of parcels offer visibility to the interstate 39/90 and all parcels have limited or no visibility from Highway 12/18. According to the 2009 traffic study conducted by the city of Madison-division of traffic engineering, the average daily traffic count along this portion of the Beltline is 16,500 vehicles while Millpond has a traffic count of 4,600 daily. Access can be difficult for a traveler not familiar with the area, likely discouraging a visit by the interstate traveler desiring a spontaneous stop. The difficult, sometimes dangerous accessibility that has human fatality consequences is probably a reason why development has not been steadier to this area. The proposed changes and restrictions to access points along Highway 12/18 present considerable concerns for the future economic viability of development. The Nation will continue to work with the City of Madison and Wisconsin DOT to address these issues. The proposed North Parking Lot is accessible off from Millpond Road and Savannah Road.

Environmental and Sustainable Features: The Ho-Chunk Nation is amongst the leaders in Wisconsin with respect to green building and sustainable development. The proposed North Parking Lot design will live up to Madison's Urban Development Committee expectations by providing adequate drainage, green space, lighting and pedestrian walk-ways. Kevin Trevillian, Coleman Engineering Company met with Jeff Benedict, P.E. City Engineer on March 13, 2012 in the city office. Jeff is a City Staff Engineer and he works in Storm Water. The proposed North Parking Lot design drawings were reviewed to assure the plans meet City storm water requirements. The proposed storm water management for this site includes collection in catch basins with oil & grease baskets, routed to a bio-retention basin on the NW corner that will outlet to an open planted ditch (bio-swale) that runs south and then east to an existing storm crossing of Evan Acres Road and eventually into an existing large retention pond.

Compatibility with Existing Uses: The Nation's improvement site plan is compatible with the existing development in area. The development proposed herein does not present land-use conflicts. The neighboring commercial properties to Ho-Chunk Nation land have a variety of uses which are primarily

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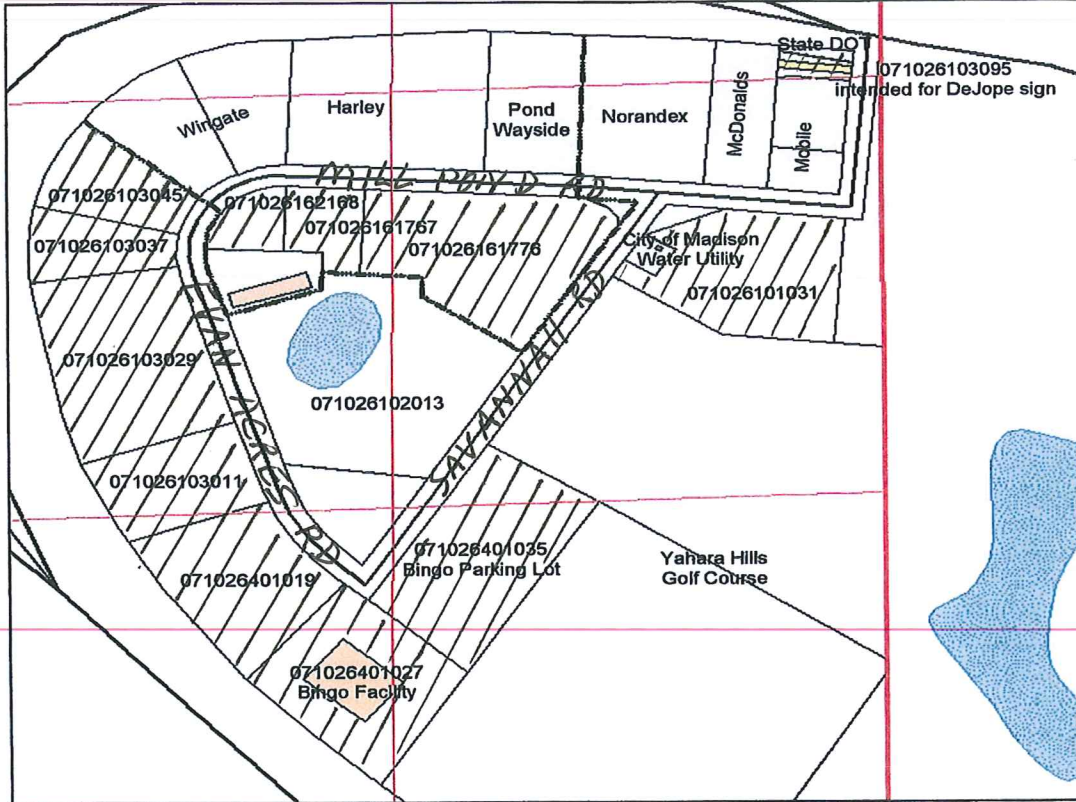
related to commercial, municipal, residential agricultural, and hospitality. Existing land uses located to the west of the Ho-Chunk Nation land include vacant land for development, Interstate 90, residential houses, and the Highway 12/18 corridor to downtown Madison. Land uses located to the east of Development Area include the Yahara Hills Municipal golf course and agricultural land. Land uses to the south of Ho-Chunk Nation land include Interstate 90, agricultural land, and limited residential uses. Land uses located to the north of Development Area include the Magnuson Grand Hotel, Harley Davidson retail store, a dated BP gas station and convenience store, Norandex Building Supplies a manufacturing distributor, and Reverend Jim's Roadhouse, a tavern and grill. On the north side of Highway 12/18 and slightly east is the Dane County Sanitary Landfill and more agricultural land.

1. Signs. Signs located on simple fee land shall be installed in conformance with the Sign Plan attached as **Exhibit K**.
2. Storm Water. Storm sewer, curbs, and gutter for Savannah Road were completed in 1999. Additional storm water collection and distribution will be provided as needed in accordance with applicable regulations as set forth in Chapter 37 of the Madison General Ordinances.
3. Development Timeline. Target Date to make use of BIA funding is November 1, 2012. Lot 4 and 5. Over-flow parking with approximately 474 parking spaces for cars and semi-parking is needed immediately to accommodate customers. Immediately upon the City of Madison reclassifying the zoning to C2 the Ho-Chunk Nation BIA Roads will initiate a contract to have the parking lot paved and targeting completion prior to November 1, 2012.

EXHIBIT I

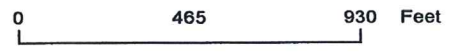
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DeJope
Dane County
Madison, WI



Legend

- Hydrology
- Ho-Chunk
- Not Ho-Chunk
- Section Lines
- Buildings
- Roads
- Town/City Line
- McDonalds Easement



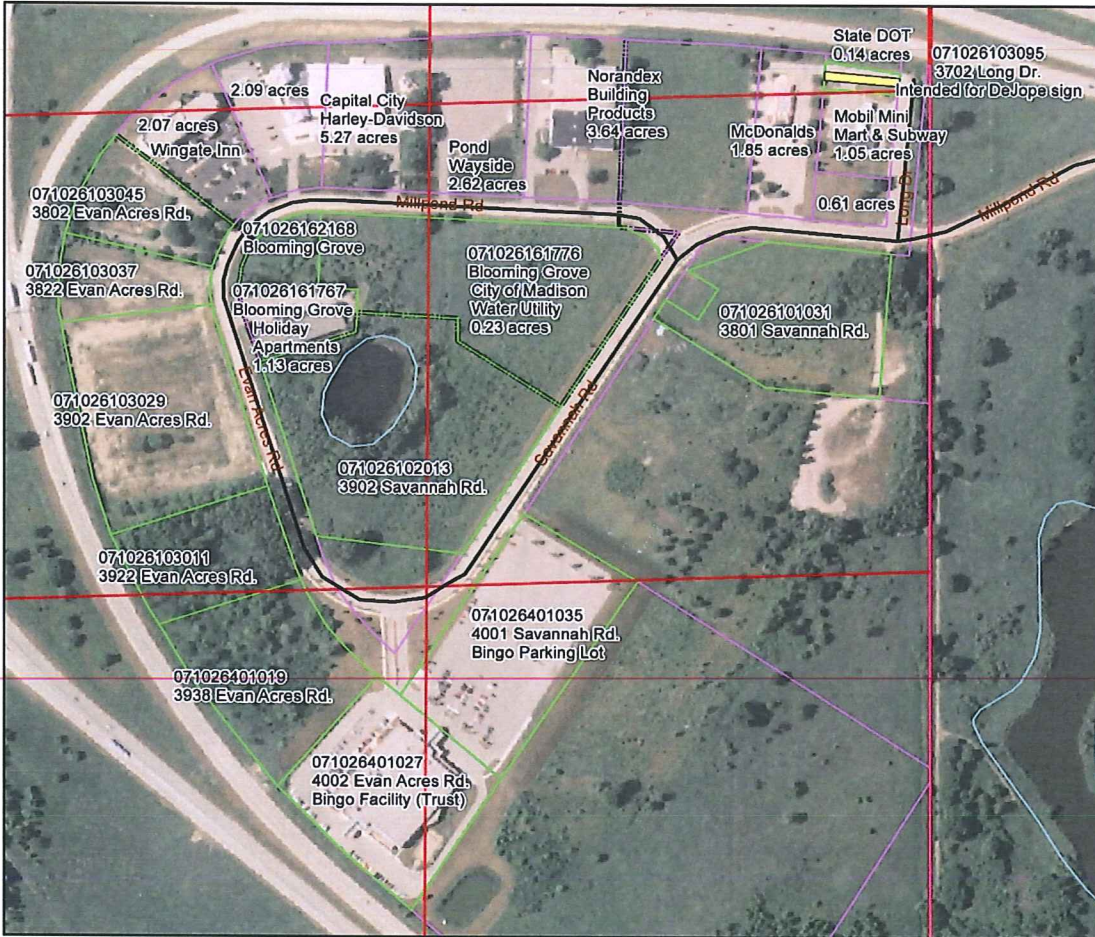
The features on this map are presented for cartographic reference only and are not intended to be official. Survey by a registered land surveyor is the only legal basis for determining actual land boundaries. www.ho-chunknation.com/gis

EXHIBIT F.3

HO-CHUNK NATION

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DeJope Dane County Madison, WI



Legend

- Ho-Chunk
- Not Ho-Chunk
- Section Lines
- Roads
- Hydrology
- McDonalds Easement
- Town/City Line

N
▲



This map is for reference only. It is not official and not for navigation. Survey by a registered land surveyor is the only legal basis for determining actual land boundaries. Data from USGS, WI DNR & other sources.
 DNR Division of Natural Resources
 GIS Geographic Information System
www.ho-chunknation.com/gis
 Copyright © 2005 Ho-Chunk Nation
 Black River Falls, WI

EXHIBIT F.2

5-6

HO-CHUNK NATION
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EXHIBIT I

Development Plan

Proposed Land Use: The once zoned commercial lots that were under the town of Blooming Grove held the Ramada Inn and Quality Inn that since have been razed in 2001. At this time the Ho-Chunk Nation proposes to use the empty lots for overflow parking however it is in great need of improvement. The Ho-Chunk Nation has earnestly been making plans for improvements to the lots as well as meeting the last two-years working with the city of Madison's zoning department to achieve rezoning. The conceptual plans earmark a paved parking lot that includes landscaped islands, safe access walkways, directional signs, and lighting will serve the local business community well for their annual events. The added paved parking lot will be providing an added amenity to our guests with large vehicles such as semi-trucks and RV/trailer travelers. A shuttle service will be servicing the North parking lot as an added amenity by providing an accessory parking for 474 vehicles. The current main parking lot known as the East Parking Lot has 665 parking spaces of which 60 are handicapped. Documentation shows that the past 6 months average patronage is 276,825 customers; the low month in January 2012 serving 213,817 customers and March 2012 HCG Madison served 355,550 customers. **(Exhibit L & M)**

Access: Access is a key concern with the development of the Nation's Fee Lands. Portions of parcels offer visibility to the interstate 39/90 and all parcels have limited or no visibility from Highway 12/18. According to the 2009 traffic study conducted by the city of Madison-division of traffic engineering, the average daily traffic count along this portion of the Beltline is 16,500 vehicles while Millpond has a traffic count of 4,600 daily. Access can be difficult for a traveler not familiar with the area, likely discouraging a visit by the interstate traveler desiring a spontaneous stop. The difficult, sometimes dangerous accessibility that has human fatality consequences is probably a reason why development has not been steadier to this area. The proposed changes and restrictions to access points along Highway 12/18 present considerable concerns for the future economic viability of development. The Nation will continue to work with the City of Madison and Wisconsin DOT to address these issues. The proposed North Parking Lot is accessible off from Millpond Road and Savannah Road.

Environmental and Sustainable Features: The Ho-Chunk Nation is amongst the leaders in Wisconsin with respect to green building and sustainable development. The proposed North Parking Lot design will live up to Madison's Urban Development Committee expectations by providing adequate drainage, green space, lighting and pedestrian walk-ways. Kevin Trevillian, Coleman Engineering Company met with Jeff Benedict, P.E. City Engineer on March 13, 2012 in the city office. Jeff is a City Staff Engineer and he works in Storm Water. The proposed North Parking Lot design drawings were reviewed to assure the plans meet City storm water requirements. The proposed storm water management for this site includes collection in catch basins with oil & grease baskets, routed to a bio-retention basin on the NW corner that will outlet to an open planted ditch (bio-swale) that runs south and then east to an existing storm crossing of Evan Acres Road and eventually into an existing large retention pond.

Compatibility with Existing Uses: The Nation's improvement site plan is compatible with the existing development in area. The development proposed herein does not present land-use conflicts. The neighboring commercial properties to Ho-Chunk Nation land have a variety of uses which are primarily

HO-CHUNK NATION

PEOPLE OF THE BIG VOICE

related to commercial, municipal, residential agricultural, and hospitality. Existing land uses located to the west of the Ho-Chunk Nation land include vacant land for development, Interstate 90, residential houses, and the Highway 12/18 corridor to downtown Madison. Land uses located to the east of Development Area include the Yahara Hills Municipal golf course and agricultural land. Land uses to the south of Ho-Chunk Nation land include Interstate 90, agricultural land, and limited residential uses. Land uses located to the north of Development Area include the Magnuson Grand Hotel, Harley Davidson retail store, a dated BP gas station and convenience store, Norandex Building Supplies a manufacturing distributor, and Reverend Jim's Roadhouse, a tavern and grill. On the north side of Highway 12/18 and slightly east is the Dane County Sanitary Landfill and more agricultural land.

1. Signs. Signs located on simple fee land shall be installed in conformance with the Sign Plan attached as **Exhibit K**.
2. Storm Water. Storm sewer, curbs, and gutter for Savannah Road were completed in 1999. Additional storm water collection and distribution will be provided as needed in accordance with applicable regulations as set forth in Chapter 37 of the Madison General Ordinances.
3. Development Timeline. Target Date to make use of BIA funding is November 1, 2012. Lot 4 and 5. Over-flow parking with approximately 474 parking spaces for cars and semi-parking is needed immediately to accommodate customers. Immediately upon the City of Madison reclassifying the zoning to C2 the Ho-Chunk Nation BIA Roads will initiate a contract to have the parking lot paved and targeting completion prior to November 1, 2012.

EXHIBIT I

	4:30 AM	5:00AM	6:00AM	7:00AM	8:00AM	9:00AM	10:00AM	11:00AM	12:00PM	1:00PM	2:00PM	3:00PM	4:00PM	5:00PM	6:00PM	7:00PM	8:00PM	9:00PM	10:00PM	11:00PM	12:00AM	1:00AM	2:00AM	3:00AM		
1st	222	151	108	114	183	221	300	422	464	557	602	619	654	678	697	648	659	651	618	606	593	486	383		10928	
2nd	221	140	106	119	139	191	270	380	413	426	454	458	449	465	497	512	494	415	397	388	381	313	254		8060	
3rd	127	61	53	72	141	247	392	469	481	501	525	538	529	534	541	526	516	490	473	412	365	288	234		8704	
4th	96	62	55	61	100	148	237	311	471	532	531	519	545	606	694	744	726	480	401	366	312	268	225		8654	
5th	119	70	60	73	116	231	343	448	477	402	394	406	415	453	522	588	548	372	356	318	241	167	113	57	7289	
6th	94	58	41	45	70	146	259	350	404	437	461	454	472	472	680	752	773	560	459	387	350	298	232		184	
7th	143	112	79	70	126	211	300	411	430	494	519	529	507	513	668	749	752	732	705	659	571	455	316	190	10241	
8th	170	102	85	110	163	219	295	380	479	627	668	697	708	720	739	851	864	870	836	829	785	594	457	376	12607	
9th	315	132	92	73	106	179	269	329	418	488	554	564	579	563	495	444	435	322	297	298	303	280	206	150	7891	
10th	108	60	48	77	129	226	326	394	466	492	488	476	473	446	448	427	400	443	248	242	220	174	119	92	6842	
11th	95	54	44	39	68	133	221	279	330	368	286	375	393	449	539	623	613	443	363	278	238	208	155	128	6722	
12th	85	54	45	80	159	288	383	469	496	498	488	515	527	551	560	574	555	384	341	278	215	133	80	35	7818	
13th	40	37	38	43	97	191	260	340	357	425	484	474	445	497	595	666	725	575	413	307	255	196	143	94	10247	
14th	110	89	62	78	124	202	316	445	520	563	569	558	516	559	615	717	747	704	651	574	528	442	317	243	10549	
15th	160	117	91	111	174	234	291	363	401	434	499	556	580	656	691	741	699	722	707	697	594	463	328	240	10549	
16th	195	142	90	94	133	204	262	303	332	355	378	469	529	543	490	459	429	328	277	248	245	230	172	94	7001	
17th	64	49	39	55	101	200	281	370	384	426	455	416	416	442	469	478	351	331	309	254	242	203	156	106	6597	
18th	81	61	56	72	85	178	241	318	349	400	427	407	391	432	531	553	523	424	311	269	221	167	121	94	6722	
19th	88	48	28	53	131	247	369	487	537	557	576	542	557	575	555	544	523	402	362	313	275	197	145	105	8196	
20th	71	27	16	32	73	151	275	382	416	423	434	406	408	518	658	760	795	669	482	417	382	316	232	181	8524	
21st	147	78	55	53	119	186	291	365	472	600	631	621	597	651	731	906	975	724	702	690	549	417	333	208	11084	
22nd	183	137	101	120	192	250	306	407	473	560	632	660	661	678	737	791	727	727	707	689	670	575	466	375	11875	
23rd	200	118	91	104	185	202	284	368	390	410	405	404	401	397	367	450	383	284	237	181	172	128	74	1	7084	
24th	23	44	43	49	84	166	262	351	402	428	467	457	433	415	412	448	387	363	330	272	233	171	106	86	6432	
25th	58	43	37	33	54	104	194	288	334	386	411	422	434	543	634	654	540	396	304	219	179	94	72	72	6553	
26th	62	44	33	38	93	203	339	458	471	502	510	479	487	534	575	606	542	477	424	371	262	190	151	83	7934	
27th	61	50	46	56	78	127	222	324	317	331	389	410	416	469	608	723	760	649	520	449	422	343	287	255	9470	
28th	130	69	65	55	78	139	234	320	349	431	512	521	493	547	612	738	688	655	643	625	548	437	339	242	9470	
29th	181	126	108	110	151	286	344	448	484	595	670	695	711	697	698	781	722	678	671	602	553	443	336	271	11291	
30th	158	102	92	93	137	190	269	353	438	573	1071	1224	1271	1330	1332	1207	722	458	370	328	310	251	191	147	9382	
31st	107	82	82	90	133	216	325	413	516	557	560	547	506	509	531	552	539	527	507	487	430	398	385	354		
AVG	126	82	64	73	119	195	289	379	429	481	519	530	532	563	610	652	617	519	465	420	376	302	231	171		271891

Headcount
650 total parking spaces of which 60 are handicap parking

Mo. Total

5-6

NOV-11	4:00AM	5:00AM	6:00AM	7:00AM	8:00AM	9:00AM	10:00AM	11:00AM	12:00PM	1:00PM	2:00PM	3:00PM	4:00PM	5:00PM	6:00PM	7:00PM	8:00PM	9:00PM	10:00PM	11:00PM	12:00AM	1:00AM	2:00AM	3:00AM		
1-Nov-11	121	73	67	45	69	120	226	326	411	465	516	457	478	514	503	525	525	521	452	363	375	251	185	146	7218	
2-Nov-11	123	83	52	44	129	140	261	383	420	516	440	502	406	464	489	552	525	521	452	363	375	251	185	146	7218	
3-Nov-11	112	88	75	51	83	153	174	282	361	415	440	465	504	527	618	718	826	995	817	694	201	267	229	180	6418	
4-Nov-11	154	66	66	56	65	134	228	322	419	513	499	538	507	574	662	750	850	945	957	694	662	586	414	313	4888	
5-Nov-11	224	161	115	102	161	202	275	365	382	476	612	569	569	478	618	692	850	945	957	694	662	586	414	313	10737	
6-Nov-11	172	126	96	109	185	178	241	339	481	505	429	488	481	382	440	441	427	437	345	271	233	178	156	116	7225	
7-Nov-11	90	60	53	54	80	142	256	402	396	416	449	489	390	397	382	440	441	427	345	271	233	178	156	116	7225	
8-Nov-11	90	61	47	45	79	102	232	351	385	428	510	445	473	396	467	460	421	427	351	305	229	177	127	99	6707	
9-Nov-11	71	47	24	24	79	142	247	358	374	427	375	403	307	306	350	348	318	290	289	259	207	185	136	92	5670	
10-Nov-11	71	35	26	41	50	86	156	290	342	417	417	448	410	364	437	485	508	508	366	376	339	250	178	159	6342	
11-Nov-11	98	54	41	44	71	164	354	375	606	602	661	676	507	628	712	794	826	811	739	758	615	471	312	275	10455	
12-Nov-11	195	171	114	98	108	158	229	327	378	507	453	487	522	420	546	630	719	741	739	695	537	399	399	411	253	9837
13-Nov-11	181	136	95	127	122	206	254	346	340	456	542	497	505	475	462	402	431	376	332	291	297	247	192	134	7446	
14-Nov-11	101	60	49	54	109	144	206	206	347	417	425	417	365	357	283	290	267	257	267	200	196	159	119	97	5670	
15-Nov-11	60	47	25	33	69	127	200	283	411	407	420	405	386	388	448	484	474	470	381	303	288	204	129	100	6542	
16-Nov-11	78	54	41	39	60	144	267	429	524	519	537	594	513	485	510	521	463	419	391	305	197	214	157	119	7580	
17-Nov-11	67	49	36	34	54	113	231	283	283	341	412	315	396	396	402	513	437	437	360	322	307	219	167	139	5480	
18-Nov-11	93	73	69	65	80	207	201	271	345	454	412	435	493	485	560	726	696	615	664	656	535	484	279	238	8724	
19-Nov-11	161	116	92	93	150	201	242	334	342	516	448	567	581	652	656	697	759	704	668	744	626	508	367	237	10461	
20-Nov-11	166	114	92	94	137	160	225	248	323	305	416	391	391	442	428	378	408	308	301	289	268	204	163	135	6386	
21-Nov-11	78	47	45	54	53	145	312	324	374	421	460	449	364	308	349	328	328	290	318	259	238	162	129	87	5922	
22-Nov-11	60	61	34	36	73	114	273	308	447	415	356	426	357	292	377	470	425	384	373	350	282	185	133	112	6343	
23-Nov-11	108	51	36	36	122	296	301	315	417	426	472	449	431	489	565	598	764	649	602	574	540	318	320	206	9106	
24-Nov-11	174	99	72	69	87	97	151	125	161	157	216	229	344	467	459	463	436	659	524	473	432	382	286	208	6770	
25-Nov-11	139	103	75	79	117	178	231	409	517	582	641	660	633	623	764	627	778	748	756	723	584	453	331	223	10974	
26-Nov-11	136	143	119	88	106	166	253	404	498	510	523	515	569	421	656	687	757	760	709	576	477	407	339	224	10063	
27-Nov-11	142	97	76	57	108	126	242	285	354	472	867	937	920	789	849	894	894	656	656	656	219	245	173	123	9719	
28-Nov-11	71	51	36	44	78	165	228	298	313	368	356	325	324	353	368	369	361	313	278	233	194	160	123	91	5565	
29-Nov-11	59	45	41	40	57	112	222	270	313	479	359	342	356	319	394	393	383	314	329	255	234	181	119	78	5694	
30-Nov-11	68	50	48	42	61	183	221	377	427	472	462	448	463	455	534	486	478	462	347	294	245	187	159	162	7131	
AVERAGE	116	81	62	61	93	154	238	326	393	447	477	479	467	451	508	525	539	517	465	416	367	290	214	162	228556	
HEADCOUNT																										
650 total parking spaces of which 50 are handicap parking																										Mo.Total

5-6

12:00AM	1:00AM	2:00AM	3:00AM	4:00AM	5:00AM	6:00AM	7:00AM	8:00AM	9:00AM	10:00AM	11:00AM	12:00PM	1:00PM	2:00PM	3:00PM	4:00PM	5:00PM	6:00PM	7:00PM	8:00PM	9:00PM	10:00PM	11:00PM	Mo:Total		
1-Jan-12	602	475	325	262	130	113	87	99	130	133	234	304	543	307	418	476	467	557	572	603	667	504	503	503	6599	
2-Jan-12	334	217	240	166	115	76	59	76	57	110	273	377	446	509	492	479	428	435	495	446	422	377	420	407	7999	
3-Jan-12	340	243	172	151	98	82	58	52	91	181	503	477	532	659	596	621	549	514	548	582	552	535	507	474	6401	
4-Jan-12	417	339	241	189	134	89	59	49	51	131	192	350	391	440	601	449	471	362	491	487	462	500	348	346	7945	
5-Jan-12	311	238	199	182	126	94	83	70	77	109	172	333	412	467	505	532	471	442	640	717	726	853	941	852	6063	
6-Jan-12	760	525	328	414	214	145	106	132	182	212	272	450	495	618	604	691	716	700	717	849	793	834	651	672	9588	
7-Jan-12	522	464	487	313	191	170	99	92	92	152	242	555	362	462	672	597	638	548	423	483	451	401	384	340	6889	
8-Jan-12	344	254	238	199	150	92	50	66	84	166	232	345	394	478	531	540	436	392	409	419	547	542	484	356	5903	
9-Jan-12	270	211	135	112	96	60	47	36	65	155	235	273	361	393	385	394	394	398	454	547	542	484	356	341	5419	
10-Jan-12	241	231	155	107	86	55	51	46	95	212	428	486	525	630	631	643	594	526	625	621	594	594	496	389	7824	
11-Jan-12	288	194	147	111	55	35	32	22	29	80	94	129	166	152	136	138	128	98	157	177	183	134	126	130	2079	
12-Jan-12	106	115	99	68	56	58	39	40	34	103	154	225	269	413	438	427	451	471	465	502	688	736	592	670	6818	
13-Jan-12	689	548	395	325	218	160	124	115	140	214	321	414	478	509	639	859	573	668	658	780	668	652	875	814	9377	
14-Jan-12	561	546	347	209	205	122	107	86	121	148	232	327	446	437	515	398	413	334	365	500	415	454	432	390	6014	
15-Jan-12	384	378	299	197	120	90	75	76	107	191	387	441	514	557	651	607	492	469	438	430	423	364	338	236	6721	
16-Jan-12	200	200	129	107	81	64	48	35	60	193	95	131	181	193	200	232	227	193	308	339	364	345	248	221	3429	
17-Jan-12	215	136	117	86	62	64	44	54	86	171	287	477	487	618	602	608	640	557	627	606	561	431	447	401	356	7701
18-Jan-12	291	224	133	118	68	54	37	40	53	100	174	358	335	342	399	381	405	323	447	487	434	431	447	329	5485	
19-Jan-12	263	225	169	114	102	80	65	70	92	129	166	159	206	159	173	194	189	173	220	220	310	364	368	454	347	3773
20-Jan-12	365	289	200	168	125	76	68	59	87	156	238	414	503	623	831	719	806	725	776	724	872	1077	962	911	10483	
21-Jan-12	758	702	476	370	212	190	146	112	140	183	258	391	385	423	474	426	457	372	344	319	276	255	243	224	5282	
22-Jan-12	210	193	163	109	86	71	63	66	73	125	150	246	306	367	394	383	377	375	398	423	364	317	309	304	5017	
23-Jan-12	270	194	153	90	65	49	32	57	87	150	265	352	429	513	554	540	428	397	517	602	556	463	324	287	6521	
24-Jan-12	264	194	153	109	90	70	56	42	95	239	285	514	575	677	778	609	656	589	651	555	545	499	326	414	8049	
25-Jan-12	338	256	153	134	86	59	42	42	70	192	241	345	415	512	448	516	472	464	506	503	503	481	466	366	6542	
26-Jan-12	323	291	208	162	121	86	69	69	106	130	198	320	434	658	641	570	504	486	554	669	885	804	756	725	8509	
27-Jan-12	661	526	397	352	179	185	125	109	147	221	465	453	671	824	796	768	770	724	762	801	863	712	854	731	10671	
28-Jan-12	799	628	347	255	192	157	110	85	86	157	225	368	411	576	842	894	767	1037	1069	1019	609	421	429	420	9955	
29-Jan-12	362	277	149	148	102	53	49	52	105	145	223	315	481	449	600	528	499	497	493	498	436	422	391	330	6464	
30-Jan-12	330	227	190	160	116	84	63	49	121	144	247	308	490	501	512	480	422	350	490	490	515	521	336	356	6508	
31-Jan-12	394	318	233	183	123	92	70	66	93	155	253	360	418	493	549	527	497	474	519	554	540	513	466	439	213817	
AVERAGE																										
Headcount	394	318	233	183	123	92	70	66	93	155	253	360	418	493	549	527	497	474	519	554	540	513	466	439	213817	

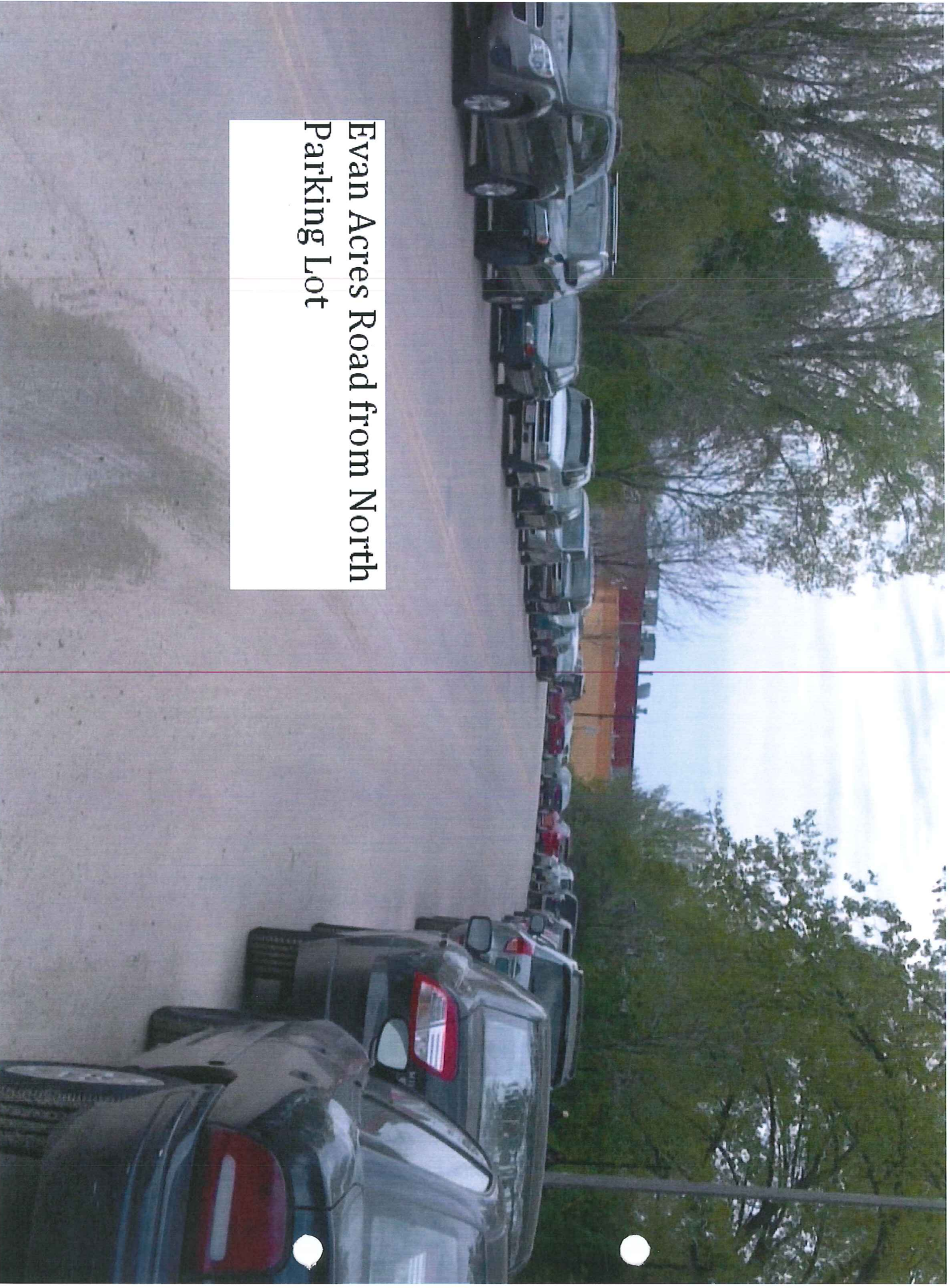
650 total parking spaces of which 60 are handicap parking

Headcount	12:00AM	1:00AM	2:00AM	3:00AM	4:00AM	5:00AM	6:00AM	7:00AM	8:00AM	9:00AM	10:00AM	11:00AM	12:00PM	1:00PM	2:00PM	3:00PM	4:00PM	5:00PM	6:00PM	7:00PM	8:00PM	9:00PM	10:00PM	11:00PM	TOTAL	
1st	142	117	103	121	197	380	625	847	932	789	781	728	751	798	834	849	836	669	605	529	412	306	229	160	12,741	
2nd	141	99	71	92	179	286	444	558	577	501	528	564	541	535	585	626	621	503	486	455	399	652	262	207	9,906	
3rd	154	115	92	111	197	314	425	583	659	731	731	745	747	774	901	1055	1089	1057	1050	998	859	728	543	424	15,026	
4th	279	119	50	39	102	204	352	499	578	578	850	958	948	917	981	1132	1198	1055	1023	950	840	661	451	345	15,462	
5th	286	213	159	142	211	340	432	608	696	660	700	692	649	516	504	441	420	308	322	325	381	367	296	190	9,898	
6th	138	108	67	75	166	275	460	570	661	673	694	720	507	470	470	550	622	672	522	487	421	379	329	262	177	10,534
7th	155	49	45	65	132	244	379	474	505	477	542	548	507	470	470	550	622	672	522	487	421	379	329	262	177	10,534
8th	120	93	67	97	189	354	550	740	774	738	757	708	718	718	822	826	820	828	828	590	485	387	291	167	106	8,269
9th	131	90	68	78	164	324	459	547	564	534	576	584	555	544	476	469	746	758	575	544	482	355	251	193	158	10,037
10th	157	98	68	93	117	304	389	492	455	524	549	588	659	659	736	827	1002	577	610	583	558	480	346	231	155	10,729
11th	218	156	120	126	175	283	408	551	642	730	871	918	928	951	1019	1139	1145	1068	1061	961	853	713	591	411	16,039	
12th	277	162	120	126	182	304	416	557	616	783	910	985	978	985	1019	1139	1145	1068	1061	961	853	713	591	411	16,039	
13th	88	62	61	82	141	239	381	469	500	498	468	482	456	436	385	434	453	425	361	298	287	295	273	203	151	12,338
14th	136	74	71	84	154	277	430	568	729	665	707	702	725	786	872	940	940	940	743	617	477	400	292	179	114	7,460
15th	118	86	73	100	198	421	659	800	814	647	650	670	637	657	657	696	685	685	482	421	347	291	227	154	107	11,682
16th	136	93	62	75	168	297	418	541	623	675	718	733	722	759	817	865	856	508	448	442	409	344	248	174	83	10,358
17th	131	103	81	105	198	293	468	653	659	620	665	660	658	749	956	1105	1159	1107	1085	1018	859	731	582	430	15,866	
18th	307	218	187	179	224	358	566	796	923	927	975	1008	1040	1055	1084	1200	1224	1224	1194	1158	1053	835	632	481	18,809	
19th	347	259	145	170	261	370	530	623	657	759	877	932	925	915	895	972	826	796	459	410	414	440	400	298	187	12,847
20th	127	96	78	87	180	328	508	647	688	727	738	691	619	543	572	591	548	548	409	366	325	229	205	159	9,490	
21st	81	52	53	68	133	228	326	410	430	511	535	575	713	713	738	824	835	835	453	387	276	206	127	88	73	8,576
22nd	95	61	67	95	172	322	549	747	790	731	728	717	624	671	738	824	847	849	788	596	532	475	365	266	113	12,226
23rd	151	70	48	58	168	349	444	508	507	504	534	539	524	492	622	679	679	656	412	372	326	265	219	147	8,805	
24th	115	80	73	88	159	217	252	331	415	509	645	704	710	798	969	1109	1139	1011	1028	974	824	725	626	468	13,969	
25th	329	188	130	161	228	328	550	723	766	831	910	993	1012	1036	1083	1147	1172	1172	1065	1078	973	824	725	626	468	17,509
26th	361	159	111	134	228	328	550	723	766	831	910	993	1012	1036	1083	1147	1172	1172	1065	1078	973	824	725	626	468	17,509
27th	148	116	91	95	203	348	501	626	660	736	751	746	679	662	689	771	847	828	613	430	345	346	323	201	89	16,342
28th	120	68	55	91	203	348	501	626	660	736	751	746	679	662	689	771	847	828	613	430	345	346	323	201	89	16,342
29th	95	72	65	99	219	370	534	676	697	643	616	594	539	576	629	699	687	547	441	403	344	291	231	175	10,242	
AVERAGE	175	110	86	102	181	307	461	598	648	668	719	729	730	745	792	849	813	649	600	546	483	409	296	206	12,741	

Headcount
650 total parking spaces of which 60 are handicap parking

5-6

**Evan Acres Road from North
Parking Lot**



Evan Acres Rd. from casino
main entrance





Overflow April 29, 2012



Overflow April 29, 2012



Overflow April 29, 2012

HO-CHUNK NATION
PEOPLE OF THE BIG VOICE

EXHIBIT N



HO-CHUNK NATION LEGISLATURE
Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
AUTHORIZATION AND SUPPORT TO SUBMIT ZONING APPLICATION
TO CITY OF MADISON FOR LANDS IN PROXIMITY TO
HO-CHUNK GAMING-MADISON FACILITY**

EXECUTIVE SESSION RESOLUTION 05-08-12P

- WHEREAS,** on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and
- WHEREAS,** Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and
- WHEREAS,** Article V, Section 2(k) of the Constitution grants the Legislature the power to acquire or purchase lands for the benefit of the Nation and its members; and
- WHEREAS,** Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; and
- WHEREAS,** Article V, Section 2(m) of the Constitution grants the Legislature the power to enact laws to prevent the sale, disposition, or encumbrance of Ho-Chunk lands, or other Ho-Chunk assets; and
- WHEREAS,** Article V, Section 2(o) of the Constitution grants the Legislature the power to enact laws to regulate and zone any lands within the jurisdiction of the Ho-Chunk Nation; and

Executive Offices

W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

HO-CHUNK NATION
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WHEREAS, Article V, Section 2(p) of the Constitution grants the Legislature the power to enact laws to create and regulate a system of property including but not limited to use, title, deed, estate, inheritance, transfer, conveyance, and devise; and

WHEREAS, Article V, Section 2(t) of the Constitution grants the Legislature the power to enact laws governing law enforcement on lands within the jurisdiction of the Nation; and

WHEREAS, Article V, Section 2(w) of the Constitution grants the Legislature the power to enact laws to regulate hunting, fishing, trapping, recreation and all other related activities on lands within the Nation's jurisdiction; and

WHEREAS, Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and

WHEREAS, the Ho-Chunk Nation is the fee owner of the following two (2) parcels of real property located in the city of Madison, Wisconsin: (i) a 5.46 acre parcel having a street address of 3902 Evan Acres Road ("Parcel 1"), and (ii) a 1.64 acre parcel having a street address of 3822 Evan Acres Road ("Parcel 2"); and

WHEREAS, Parcel 1 and Parcel 2, located approximately 100 feet from the Ho-Chunk Gaming Madison Facility, are the former site of a hotel and parking lot that were previously demolished by the Nation; and

WHEREAS, the Ho-Chunk Gaming Madison Facility currently uses Parcel 1 and Parcel 2 together as an overflow parking lot for the Ho-Chunk Madison Gaming Facility; and

WHEREAS, the Legislature has previously approved funding for the resurfacing of the parking lot located on Parcel 1 and Parcel 2; and

WHEREAS, the City of Madison Zoning Administrator has informed the Ho-Chunk Nation that the current, temporary Agricultural zoning of Parcel 1 and Parcel 2 does not permit the current use as an overflow parking lot and would prevent the City of Madison from permitting any repaving of the parking surface; and

WHEREAS, at its May 23, 2012 meeting, the Joint Committee of the Ho-Chunk Nation and the City of Madison, in consultation with the City of Madison Attorney's Office and City of Madison Zoning Administrator and pursuant to its authority under the terms of that certain Intergovernmental Agreement ("IGA") dated August 25, 1998 between the City of Madison and the Nation, advised the Ho-Chunk Nation Department of Business that the IGA permits the Nation to apply for a City of Madison Commercial-2 (C-2) zoning designation that, if approved, would allow the current use and pave the way for resurfacing as approved by the Legislature; and

WHEREAS, the Ho-Chunk Nation Business Department therefore wishes to submit a zoning application ("C-2 Zoning Application") to the City of Madison that would request a rezoning of Parcel 1 and Parcel 2 to a C-2 zoning designation that would permit the current use of Parcel 1 and Parcel 2 as a surface parking facility benefiting the Ho-Chunk Gaming Madison Facility and would pave the way for the resurfacing of the parking lot located thereon.

05-08-12P

2

EXHIBIT N

HO-CHUNK NATION
PEOPLE OF THE BIG VOICE

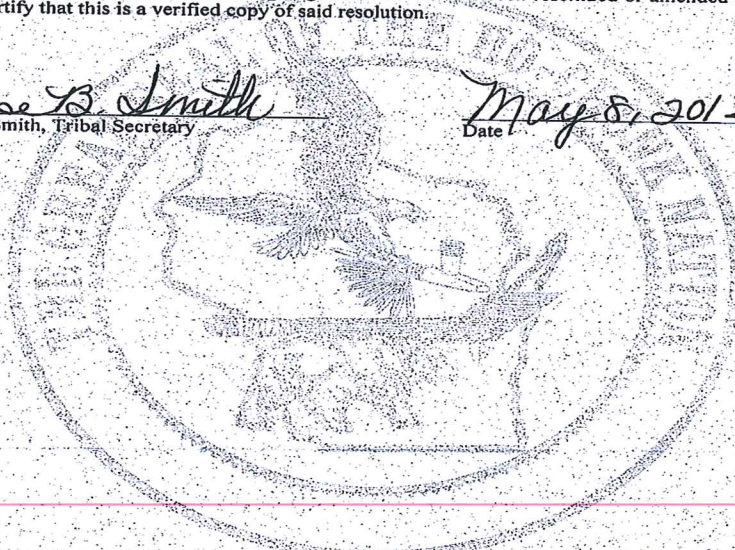
NOW THEREFORE, BE IT RESOLVED that the Legislature deems it appropriate and in the best interests of the Ho-Chunk Nation to authorize and support the preparation and submission of the C-2 Zoning Application to the City of Madison by the Ho-Chunk Department of Business, and does hereby authorize such an application.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 7 constituting a quorum were present at a meeting duly called and convened and held that on the 8th day of May, 2012, adopted the foregoing resolution at said meeting by an affirmative vote of 7 members, 0 opposed, and 0 abstaining, pursuant to the Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation, approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

Hope B. Smith
Hope B. Smith, Tribal Secretary

May 8, 2012
Date



05-08-12P

3

EXHIBIT N