

**CITY OF MADISON
PLAN COMMISSION**

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In Re:

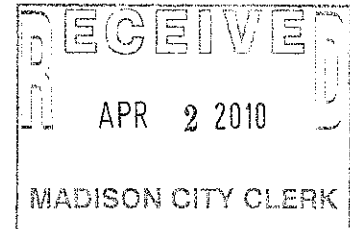
**Conditional Use for Waterfront
Development Edgewater Hotel
666 Wisconsin Ave.**

Legistar I.D. #17311

APPEAL FROM ACTION BY CITY PLAN COMMISSION

TO:

Mark A. Olinger
Secretary
City of Madison Plan Commission



PLEASE TAKE NOTICE, that the undersigned, constituting not less than 20% of the property owners notified of this matter, object to the establishment of a Waterfront Development Conditional Use for the Edgewater Hotel, 666 Wisconsin Ave., as approved by the City of Madison Plan Commission on March 23, 2010, and do hereby appeal said decision to the Common Council of the City of Madison pursuant to §28.12(11)(i) of the City of Madison Zoning Code.

The grounds for this appeal are as follows:

1. A Waterfront Development Conditional Use for the Edgewater Hotel was considered by the Plan Commission at its meeting of March 22 and 23, 2010.
2. The Waterfront Development Conditional Use was approved by voice vote following a motion for approval.
3. The Plan Commission approved the motion without debate or consideration.

4. City of Madison Zoning Code §§28.04(19)(b) and 28.12(11)(b) & (g) require that no application for a conditional use shall be granted by the City Plan Commission unless such commission shall find that the conditions of §§28.04(19)(b)1-7 and §§28.12(11)(g)1 – 11 are present.

5. The Plan Commission proceedings of March 22 and 23, 2010 did not include consideration of these standards and the Plan Commission failed to find that all of the described conditions are present.

6. Absent a specific finding that the requisite conditions are present, the Plan Commission cannot grant the requested conditional use application.

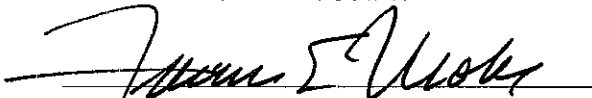
Appellants respectfully request a hearing of this appeal before the City of Madison Common Council, a ruling that the Plan Commission failed to make the requisite findings before granting the conditional use application, and a reversal of the Plan Commission approval of the Waterfront Development Conditional Use

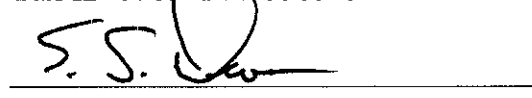
Dated this 31st day of March, 2010

Dated this 31st day of March, 2010

Frederic E. Mohs
Owner of One Langdon Street
Tax ID 0709-144-0801-2

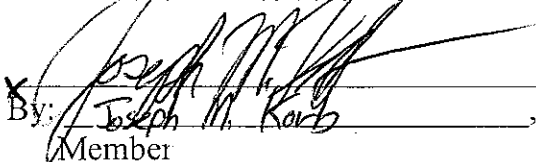
Eugene S. Devitt
Owner of 28 East Gilman
Tax ID 0709-144-0303-8

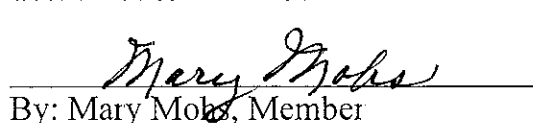




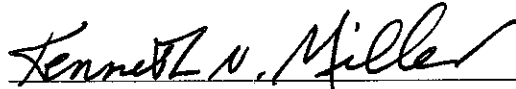
CWJ 2 LLC
Owner of ~~125~~ Langdon Street, #108
Tax ID 0709-144-0906-0

17 Langdon Street, LLC
Owner of 17 Langdon Street
Tax ID 0709-144-0802-0


By: Joseph M. Karb
Member


By: Mary Mohs, Member

Kenneth N. Miller, Duane W. and
Jane M. Miller
Owners of 515 N. Pinckney St.
Tax ID 0709-144-0207-2



By: Kenneth N. Miller, Owner

Harlowe Revocable Living Trust
Owner of 519 N. Pinckney Ste. B
Tax ID 0709-144-3202-9

By: _____
Member

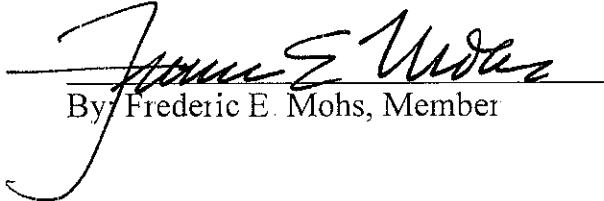
22 Langdon LLC
Owner of 22 Langdon St.
Tax ID 0709-144-0902-8

By: _____
Member

Zilber Trust et al, James and Stephen J.
Chevalier, TR
Owner of 116 E. Gilman St.
Tax ID 0709-144-0205-6

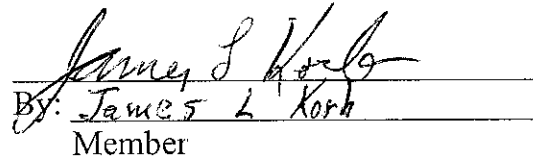
By: _____
Member

122 East Gilman LLP
Owner of 122 E. Gilman Street
Tax ID 0709-144-0204-8



By: Frederic E. Mohs, Member

Harcroft 104 LLC
Owner of 104 E. Gilman Street
Tax ID 0709-144-0206-4

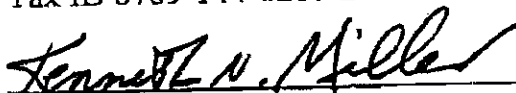


By: James L. Korb
Member

MAR-31-2010 10:00

MMW

Kenneth N. Miller, Duane W. and
Jane M. Miller
Owners of 515 N. Pinckney St.
Tax ID 0709-144-0207-2



By: Kenneth N. Miller, Owner

Harlowe Revocable Living Trust
Owner of 519 N. Pinckney Ste. B
Tax ID 0709-144-3202-9

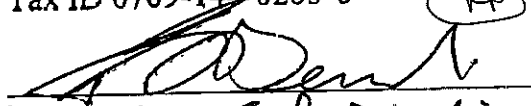
By: _____
Member

22 Langdon LLC
Owner of 22 Langdon St.
Tax ID 0709-144-0902-8

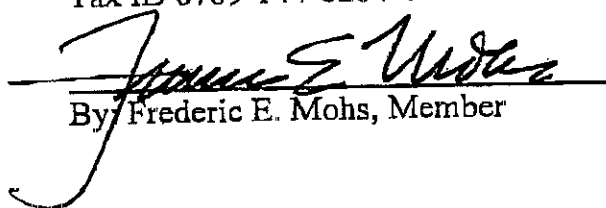
By: _____
Member

Zilber Trust et al, James and Stephen J.
Chevalier, TR
Owner of 116 E. Gilman St.
Tax ID 0709-144-0205-6

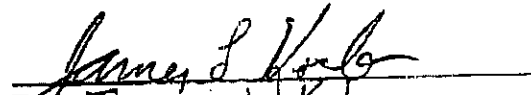
WAITING ON
ORIGINAL
FP 4/1/10


By: Thomas G. Borawski
Member

122 East Gilman LLP
Owner of 122 E. Gilman Street
Tax ID 0709-144-0204-8


By: Frederic E. Mohs, Member

Harcroft 104 LLC
Owner of 104 E. Gilman Street
Tax ID 0709-144-0206-4


By: James L. Korb
Member

This appeal has been drafted on behalf of the appellants by:

Atty. Dean B. Richards
Reinhart Boerner Van Deuren sc
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