

Wells, Chris

From: Stouder, Heather
Sent: Monday, December 12, 2016 12:18 PM
To: Wells, Chris; Parks, Timothy
Subject: FW: Plan Commission Meeting: Regarding Agenda Item 4 of Relocation Order

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

From: The Crafty Project [REDACTED]
Sent: Monday, December 12, 2016 11:31 AM
To: Stouder, Heather
Cc: [REDACTED]; Madison The Crafty Project
Subject: Plan Commission Meeting: Regarding Agenda Item 4 of Relocation Order

Heather,

Good morning, I am contacting you in regards to the bike path at 312 North 3rd Street that will be discussed at tonight's planning commission meeting, agenda item four.

I am the small business owner of The Crafty Project, a creative studio located within the 312 North 3rd Street Building that will be impacted by the bike path. I currently live in Chicago and am unable to attend tonight's meeting, however, I wanted to ensure my perspective be voiced.

Our creative studio hosts classes for adults and children to come into our creative space to create customized projects. We host up to 30 people at a time with almost all customers driving to our location. The reduction of parking with the addition of the bike path will impact us greatly. We often have classes three to four times per week and having ample parking for our business is vital and one of the main reasons we originally rented this location.

A few concerns:

- We relocated to this 312 N. 3rd street building from an East Johnson studio due to parking constraints on East Johnson. One of the main concerns our guests had on East Johnson that parking was difficult to find and impacted our ability to grow our business, therefore we moved to the 312 North 3rd street space. Ensuring that we have ample parking for our guests is vital to our business and growth.
- We often have classes at night where our guests leave the studio/building after 9 or 10pm at night. Having parking that is close to the building and lit is important for both the safety of our guests but also ensuring the location we offer for this studio be something that is a draw and not a deterrent based on potential safety of guests having to walk two or three blocks at night to their cars, often alone.
- The Crafty Project has a Beer/Wine license for this studio location, safety of our guests and instructors is key. I worked diligently with all aspects of city planning and licensing to obtain this beer and wine license at a great expense with plans to stay in this location long term. However, if this parking lot is impacted so greatly that there parking spots are reduced greatly I will be forced to reevaluate.

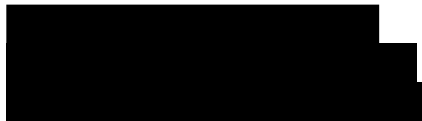
Overall, The Crafty Project is a small business started in Madison and has found tremendous growth and plans for additional growth in the future. We love our location in Madison and being a part of the community. We hope that Madison planning commission would support small business like The Crafty Project and take into account the loss of business this drastic reduction in parking would cause.

I appreciate your time in taking time to understand all impacts of this plan. If you have any questions or would like to discuss further I would be happy to discuss.

Best, Jenny Gatzke



Jenny Gatzke
, O
owner



Wells, Chris

From: Stouder, Heather
Sent: Monday, December 12, 2016 12:17 PM
To: Parks, Timothy; Wells, Chris
Subject: FW: Plan Commission Statement

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

From: Morgan Ramaker [REDACTED]
Sent: Monday, December 12, 2016 12:04 PM
To: Stouder, Heather
Cc: Ben Motiff
Subject: Plan Commission Statement

Hello Heather,

Madison BCycle is unable to attend tonight's plan commission meeting, so we are providing a written statement on the relocation order (agenda item 4):

Madison BCycle supports improving bicycling infrastructure in Madison—in particular, in our own backyard. We originally selected this location for our business because of the easy proximity to downtown Madison and our many BCycle stations. We see the path construction as beneficial to our business as it offers us additional exposure to community members interested in biking who would use the path. The plans provided do not offer sufficient detail for us to comment specifically on any additional impact the proposed path would have on our business—for instance, whether, importantly, there are plans to allow for sufficient parking for our trucks—but we are eager to cooperate to make the final arrangement come to life in a way that supports pedestrian access and meets the needs of current tenants and neighbors.

Best,

Morgan Ramaker | **Madison BCycle** | Executive Director [REDACTED]
[REDACTED]

December 11, 2016

To: City Plan commission

From: Mike Motiff 50% owner of [REDACTED] N. Third Street & [REDACTED] East Johnson Street.

To the Members:

I am compelled to write. I am OPPOSED to the current plan design for the Demterial Bike Path. Please do not misunderstand, I am in favor of the bike path but not in its current design. Let me explain.

History and background of the area:

Four to five years ago this block, the 312 N. Third building was in foreclosure. Of the 8 available rental units one was rented to an artist the remainder were vacant. The building was in disrepair graffiti outside and in, HVAC systems not working correctly, roof leaking and the property flooded several times during the year. Prostitution and drug activity was rampant, the artist can confirm this as he has been there for more than 20 years. In addition to all of this the soil was determined to be contaminated which required remediation paid by us, and closed last year by the DNR. We still have an ongoing responsibility to vent the site of gasses.

After being taken out of foreclosure over \$200,000. was spent to improve the property, HVAC (replacing and moving systems to the roof), landscaping, parking lot, and roof replacement.

Currently:

The building is now fully rented with some very wonderful small businesses.

Suite 1 Lovett Design – Graphic artists and designers of technical illustrations

Suite 2 The Crafty Project – An arts and crafts retail workshop

Suite 3 Flying Rabbit Press – Custom letterpress printer

Suite 4&5 Third Street Leather and Shoeworks – Custom leather and shoe repair

Suite 6 Madison B Cycle – Maintenance, repair and logistics location

Suite 7 Dennis Nechvatal – Local professional artist

Suite 8, 9 & 10 Randolph Sheppard Vendors of Wisconsin – Empowering visually impaired to start and run their own businesses

This year, 2015 the three bathrooms were remodeled, interior doors replaced, interior painted and some added HVAC work to assure our tenants comfort.

Original Plan for the Site:

When my son and I purchased the site we bought 312 N. Third with the vacant lot at 2040 East Johnson St. We intended to open a one barrel brewery pub on that vacant lot. Two weeks after purchase we received a call from the city engineering dept. that a bike path was going to affect our vacant lot. Ben I meet with engineering and the plan we were working on go up in smoke.

After engineering presented the plan to us we were comfortable that 312 N. Third and our 7 tenants would not lose their ability to continue their work the reason they moved to the site in the first place. After reviewing the plan we again meet with engineering and expressed our, and our tenants, support for the path to the point of agreeing to support the plan, and pay for added lighting along the path for the safety of our tenants.

Revised Plan:

The revised plan is cruel, placing the entire burden on us and our tenants. Our neighbor Tinny Homes who had greater benefit under the original plan, is boxed in by the new plan route and our tenants lose their ability, and their customer's ability to park by the front door. This is of particular concern to The Crafty project who have between 20 – 30 women who attend evening art and craft projects in the front of the building in Suite 2. Moving the parking to the back of the building it will become a safety issue for these women, some of which may no longer attend, affecting the viability of that business.

The same can be said of the Flying Rabbit in Suite 4 and Third Street Leather and Shoeworks in Suite 5 who depend on retail customers.



The redesign will severely impact Shepard Vending and B-Cycle. Each of these business use large trucks in their operation. The vending company frequently has freight delivery by semi-trucks.

Best Use for the total Site:

The original design of the path would allow Tinny Homes to do additional development of the property to suit their needs and preserve our tenant's ability to serve their customers. With this in mind we endeavored to contact the Tinny Homes group through our attorney in an effort to find a mutually agreeable meeting date to explore ideas and plans.

You as the City Planning Board should take this opportunity to table the #4 agenda item on the docket. We would like to work with and explain to members of your board and Tinny Homes ideas that may not have been considered to date.

Mike Motiff
Partner:

 N. Third Street
 East Johnson St.

Ben Motiff

From: Vercauteren, Jeff <[REDACTED]>
Sent: Monday, November 28, 2016 8:26 AM
To: 'mikemadcitytax' <[REDACTED]>; Ben Motiff <[REDACTED]>
Cc: Black, Angela
Subject: FW: OM Tiny House Village Property

Mike and Ben, please see the response below from Occupy Madison. Please let me know a few times that would work for you for a meeting with them on site. Thanks.

From: Bruce Wallbaum <[REDACTED]>
Sent: Thursday, November 24, 2016 2:14 AM
To: Vercauteren, Jeff; 'Brenda Konkel'
Cc: Black, Angela
Subject: RE: OM Tiny House Village Property

Hello Jeff,

Sorry for the delay, the past month has been very busy for OM.

We have not spend much time considering possibilities.

Maybe we should meet again if you have some ideas.

Thanks,

Bruce

From: Vercauteren, Jeff <[REDACTED]>
Sent: Tuesday, November 22, 2016 11:52 AM
To: 'Brenda Konkel'; Bruce Wallbaum
Cc: Black, Angela
Subject: RE: OM Tiny House Village Property

Brenda and Bruce,

Congrats on the recent press highlighting your work to complete the tiny house village property. Any word back from your board on considering options for the path? We might have some additional options for addressing the landscape issues we discussed.

Thanks,

Jeff Vercauteren
Attorney

HUSCH BLACKWELL LLP

█ East Main Street, Suite 300
Madison, WI 53701-1379

From: Vercauteren, Jeff
Sent: Friday, November 04, 2016 11:16 AM
To: 'Brenda Konkel'; Bruce Wallbaum
Cc: Black, Angela
Subject: RE: OM Tiny House Village Property

Brenda and Bruce,

Just circling back to see if your board had a chance to discuss the path options yet. We've come up with a few other ideas in discussions with our client. If there's willingness by the board to explore options, would it make sense to schedule another meeting with our client present to get more into the details of a combined proposal to the city?

Thanks,

Jeff Vercauteren
Attorney

HUSCH BLACKWELL LLP

█ East Main Street, Suite 300
Madison, WI 53701-1379

[REDACTED]

From: Brenda Konkel [REDACTED]
Sent: Thursday, October 13, 2016 2:48 PM
To: Vercauteren, Jeff
Cc: Bruce Wallbaum; Black, Angela
Subject: Re: OM Tiny House Village Property

Sounds good!

On Thu, Oct 13, 2016 at 2:39 PM, Vercauteren, Jeff L. JLV (6052) [REDACTED] wrote:

Meeting on site is a good idea. We'll see you there on Monday at 11:00.

Thanks,

Jeff Vercauteren
Attorney

HUSCH BLACKWELL LLP
[REDACTED] East Main Street, Suite 300
Madison, WI 53701-1379
[REDACTED]

From: Brenda Konkel [REDACTED]
Sent: Thursday, October 13, 2016 2:31 PM

To: Vercauteren, Jeff L. JLV (6052)
Cc: Bruce Wallbaum; Black, Angela AB (7128)
Subject: Re: OM Tiny House Village Property

We can meet at your office unless you think it would be better to meet at the site?

On Thu, Oct 13, 2016 at 1:53 PM, Vercauteren, Jeff L. JLV (6052) [REDACTED] wrote:

Great, let's plan on 11:00 on Monday. Would you like to meet at our office or elsewhere? We're flexible.

Thanks,

Jeff Vercauteren
Attorney

HUSCH BLACKWELL LLP
[REDACTED] East Main Street, Suite 300
Madison, WI 53701-1379

From: Bruce Wallbaum [REDACTED]
Sent: Thursday, October 13, 2016 1:28 PM
To: 'Brenda Konkel'; Vercauteren, Jeff L. JLV (6052)
Cc: Black, Angela AB (7128)
Subject: RE: OM Tiny House Village Property

11-12:30 works for me. Bruce

From: Brenda Konkel [REDACTED]
Sent: Thursday, October 13, 2016 1:26 PM
To: Vercauteren, Jeff L. JLV (6052)
Cc: Bruce Wallbaum; Black, Angela AB (7128)
Subject: Re: OM Tiny House Village Property

I'm available Monday 11 - 12:30

On Thu, Oct 13, 2016 at 1:19 PM, Vercauteren, Jeff L. JLV (6052) [REDACTED] wrote:

Brenda,

We're available next week Monday any time before 2:00, Wednesday 3:00-4:00, and Friday 2:00-4:00. Any of those times work for you and Bruce?

Thanks,

Jeff Vercauteren
Attorney

HUSCH BLACKWELL LLP
[REDACTED] East Main Street, Suite 300
Madison, WI 53701-1379

[REDACTED]
[REDACTED]
[REDACTED]

From: Brenda Konkel [REDACTED]
Sent: Thursday, October 13, 2016 12:01 PM
To: Vercauteren, Jeff L. JLV (6052); Bruce Wallbaum
Subject: Re: OM Tiny House Village Property

Yes, we are interested.

I think set up a meeting with them, myself and Bruce Wallbaum. We have talked about this property in the past, but if we set up an initial meeting that will allow us to go back to our board and talk to them with a little more knowledge to see what they have to say.

Thanks for being in touch.

Brenda

On Thu, Oct 13, 2016 at 11:47 AM, Vercauteren, Jeff L. JLV (6052) [REDACTED] wrote:

Brenda,

Hope you're doing well! I have a client who's interested in transferring some property to OM to expand the Tiny House Village. The City is extending Demetral Path through the middle of the block, which will create a remnant parcel our client can no longer use. The thought would be for OM to use part of the condemnation proceeds from the city to purchase the remnant parcel, allowing them to expand. Do you think this is something OM would be interested in? Any thoughts on the best way to start a dialogue with them?

Thanks,

Jeff Vercauteren
Attorney

HUSCH BLACKWELL LLP
[REDACTED] East Main Street, Suite 300
Madison, WI 53701-1379
[REDACTED]

Ben Motiff

From: Fernandez, Anthony <[REDACTED]>
Sent: Wednesday, October 21, 2015 1:45 PM
To: 'Ben Motiff'
Cc: Dawson, Christopher; Lund, Jerome; Stouder, Heather; Parks, Timothy
Subject: Demetral Path Acquisition impacts on 312 N Third and 2040 E Johnson

Ben and Mike,

Thanks for meeting with us today about the Demetral Path and its impact on the properties you acquired at 312 N third and 2040 E Johnson. As a brief summary:

1. You acquired the 312 and 2040 properties a month ago with the concept to improve the value, possibly with a retail use that would make use of the existing structure and incorporating both properties.
2. I went over our current path plan, the big picture of where it goes and the detail of how it lies on the properties. We have some flexibility about how it is located on the 2040 property, but very little as it runs between 312 and the Occupy Madison Inc. property. You are not requesting a change in our alignment at this point, but want to evaluate that. Our contacts for Occupy Madison Inc. are Bruce Wallbaum (on their Board) and Brenda Konkel (former Madison Alder and also on their Board). Their emails are [REDACTED] and [REDACTED].
3. Jerry and I outlined the real estate process under eminent domain. After a Relocation Order is passed by our Council, we will have an outside appraisal of the before / after fair market value of the properties. Jerry notes that technically these will be two separate appraisals because the different LLC's holding ownership. You have a right to obtain your own appraisal at City cost, and have other protections under eminent domain law. Jerry can provide more detail and answer any questions.
4. You asked about getting use of the small triangle of right of way south of your lot and some or all of the larger area to the north (between Pennsylvania and Third) for signage or other purposes. Jerry noted that signage would not be permitted as long as it remains right of way. We noted that this was most likely purchased as right of way, not dedicated, and therefore would have to be conveyed (for some consideration) rather than vacated. I think that the small triangle is "excess" (an artifact of the acquisition of platted lots) and Engineering would work with you. The larger parcel probably resulted for the same reason, but some of it may serve as a vision triangle. The first question, though, is who actually purchased and controls this right of way and therefore has the authority to convey it to you. It might be the State DOT. I am looking into that and will get back to you.
5. You asked about green space or storm water quality requirements if you expand the building or parking size. The best way to get the preliminary answers is to get on the agenda of our weekly Development Assistance Team (DAT) meeting. People from Planning, Traffic, Engineering and other City agencies are there to try to advise on these issues at a preliminary stage of development. You should contact Tim Parks or Heather Stouder in Planning to get on an agenda. I've copied them on this email so you can contact them and they can advise you.

Don't hesitate to get back with any questions. Please forward to Mike as I did not get his email.

Tony Fernandez
[REDACTED]

December 12, 2016

To: City Plan Commission

From: Ben Motiff 50% owner of [REDACTED] N. Third Street, [REDACTED] E. Johnson St.

To the Members:

I am OPPOSED to the current plan design for the Demetral Bike Path. I could only support a bike path through this area that gives both owners of the adjacent parcels equal consideration. This proposed route imposes all the burden on the owners and small business who operate at the location. Over the past three years 312 N. Third Street has undergone a major transformation, which has allowed seven businesses to thrive in the neighborhood. This change positive should not go unnoticed by the community and neighborhood.

History and background of the area:

In 2013 this building was in foreclosure under the former ownership of Donald Hornung who owned the property since 2000. During that time the building was in disrepair, flooding was a regular occurrence, heating and cooling of the building was intermittent at best, the area was known for drug use and prostitution (a claim which is backed up by current tenant Dennis Nechtaval a tenant of the building for over 15 years). In 2013 the building was purchased by an owner who undertook a major renovation effort and attracted many new tenants to the building. Upgrades to the roof, plumbing, and HVAC systems were made at considerable cost. These tenants sought out the building because of its proximity to downtown, its ease of access, and the parking accommodations. Since that time the building has been fully occupied, business at the location has thrived.

In September of 2015 my father and I purchased the building. We worked with the DNR because of existing soil contamination and achieved closure on the site with ongoing remediation efforts. This year upgrades to the bathrooms have been made, the parking lot has been resurfaced, and the building has seen very little crime.

This building is an ideal location for these small business for three reasons:

1. Location
2. Parking
3. A unique old structure



The loss of any of these three factors greatly impacts theses businesses and those people the business supports. Many of the businesses depend on hundreds retail customers. Other business in the building use large trucks in their operations and receive regular deliveries via semi-trucks.

Upon learning of the first bike path route, we were in support of it, although it meant losing the vacant parcel which we owned. However, because the original design could have been beneficial for the tenants in the building we agreed it could work. Over the past 6 months we were presented with re-design after re-design, placing the entire burden of the path on our land and taking away the most desirable parking at the building. We hired an attorney to assist us with the process. We hoped to negotiate a design with the other adjacent land owner which would be mutually beneficial. Numerous attempts were made on our behalf to discuss alternatives to the newly proposed route, but a conversation of any substance has not happened.

I ask the plan commission to consider the impact this path will have on the business owners at this location, who operate these business to support their families. There are over a dozen people at this location who depend on their business to survive. I know because I talk to them when I'm there on nights and weekends doing maintenance on the building. 312 N. Third St. is a community unto itself. It is amazing to me to see the cooperation among this group of diverse individuals. You have an Arts and Crafts Business, and Antiquated Printing Operation, a Shoe Maker, A Technical Design Firm, Madison BCycle repair and logistics facility, a well-known Local Artist, and a Vending Company who creates employment and business opportunities for the visually impaired.

The proposed site redesign with the loss of space for large truck maneuverability, and the loss of desirable parking for retail customers will absolutely negatively impact these people. I ask the Plan Commission to dismiss the relocation order and revisit the first concept plan, or dismiss the path in this location all together. I am sure a design which will suit both ownership groups can be achieved, but it will not happen if this relocation order and burden is unilaterally placed on this property.

Ben Motiff
Partner/Owner

 N. Third St.
 East Johnson St.



0710-082-1402-8
401 N Third LLC
401 N Third St

0710-082-0111-4
BEDONA ASSOCIATES # LLC
2116 E Johnson St

0710-082-0110-9
HOYER PARTNERS INC
2111 E Johnson St

0710-082-0108-1
GOODWILL REB'S OF MADISON
SPEC LIVING ARRANGMENTS INC
150 N Third St

0710-082-0107-3
SCURRY & MADISON INC
2008 E Johnson St

0710-082-0106-7
312 THIRD STREET LLC
312 N Third St

0710-082-0106-5
312 THIRD STREET LLC
2000 E Johnson St

CONCEPT SKETCH 10-15-15

PENNSYLVANIA