

March 16, 2026

City of Madison Plan Commission

City of Madison Department of Planning & Community & Economic Development
215 Martin Luther King Jr. Blvd, Suite 017
Madison, WI 53703

Re: Letter of Intent Addendum- 5555 Odana Road & 5534 Medical Circle- Conditional Use Permit & Demolition Permit Application

Dear Plan Commission Members:

I. PROJECT OVERVIEW

Odana Apartments, LLC c/o Bear Development, LLC (“Bear”) respectfully submits this additional information in support of its applications for (1) conditional use approval and (2) demolition permit approval for our proposed mixed-use and affordable multifamily residential development located at 5555 Odana Road and 5534 Medical Circle (the “Project”).

The Project includes the demolition of the existing structures on the subject parcels and construction of a new mixed-use, affordable multifamily residential community. Low-Income Housing Tax Credit (LIHTC) would be utilized in the financing of the Project. The development will serve income-qualified households and provide high-quality housing on a major designated development corridor with excellent access to transit, employment centers, and community services.

The northern portion of the Project site is designated predominantly as Community Mixed Use “CMU” under the City’s Generalized Future Land Use Plan and the southern portion is designated as Employment “E”, both of which allow for mixed-use buildings. Our team has purposely replaced the existing commercial space along Medical Circle by integrating approximately 6,500 square feet of commercial space into the first level of the proposed building “B,” maintaining the Employment use, and adding residential units which is accretive to the City’s planning goals.

As detailed below, we believe the Project satisfies each of the applicable approval standards under MGO Sections 28.183 and 28.185, and is directly consistent with the goals and specific actions of the City of Madison West Area Plan (adopted September 10, 2024) (the “West Area Plan”) and the City’s Comprehensive Plan.

II. CONDITIONAL USE APPROVAL — MGO SEC. 28.183

Under MGO Sec. 28.183(6)(a), the Plan Commission may not approve a conditional use unless it finds that the relevant standards are met. The Project satisfies each standard.

Standard 1: The conditional use will not be detrimental to or endanger the public health, safety, or general welfare. (MGO Sec. 28.183(6)(a)(1))

Per the staff report, this standard is believed to be met without need for detailed analysis.

Standard 2: The City is able to provide municipal services to the property. (MGO Sec. 28.183(6)(a)(2))

Per the staff report, this standard is believed to be met without need for detailed analysis.

Standard 3: The uses, values and enjoyment of neighboring properties will not be substantially impaired or diminished. (MGO Sec. 28.183(6)(a)(3))

Per the staff report, this standard is believed to be met, but we are provided a few further details that we think are relevant.

The Project contains mixed-use buildings fully consistent with the West Area Plan's specific vision for the Odana Road & Whitney Way corridors. The Plan explicitly designates Odana Road & Whitney Way as two of four major "Development Corridors" in the West Area and maps it for higher-intensity mixed and residential use — expressly anticipating that commercial and underutilized properties along this corridor will transition to residential and mixed-use development and a quality mixed-use affordable housing development replacing underutilized commercial structures will stabilize and improve the character of the block. We have worked extensively with the neighbors surrounding the Project to ensure the Project will not have a negative impact. For the existing Heritage Square commercial and West Side Swim Club to the east, we are maintaining and enhancing shared access and parking agreements that have been in place for decades. We are also assisting the West Side Swim Club with upgrades to its facilities to ensure the Project will not have a negative impact. The Project will provide much needed housing and additional users for these spaces.

There has been extensive discussion with the leadership of Montessori Children's House (MCH). The two proposed buildings are situated in a manner to minimize the impact on MCH by being located well off of the property line and providing substantial fencing and landscape buffer between the sites. As a result of discussions with MCH's leadership, we made significant changes to the Project to move the dog run to an isolated area between the buildings and provide additional landscape buffer along the western property line with large caliper canopy trees. There will also be further landscape buffer added along the southern property line based on the conditions of approval of the UDC which will provide further privacy. These updates to the Project will ensure that there are no substantial impairments to MCH's use, value and enjoyment of their property. We feel strongly that housing and pre-schools are very compatible uses, and there are many instances across the City that successfully exist. Additionally, as the Project is an affordable housing development, convenient access to high quality schools is a critical component.

Shadow studies have also been completed to document that the shadows from the new buildings would not cause a substantial impairment on neighboring properties. These studies are included in Exhibit A for reference.

Standard 4: The conditional use will not impede the normal and orderly development of surrounding property. (MGO Sec. 28.183(6)(a)(4))

We feel approval of this Project will reinforce, not impede, the orderly development trajectory the West Area Plan envisions for the Odana Road corridor. The Plan's Generalized Future Land Use (GFLU) Map designates the area for intensified residential and mixed use, and the Plan explicitly anticipates that "the demand for further residential and mixed-use redevelopment is expected to continue" in the West Area, particularly with the arrival of Bus Rapid Transit. Approving this Project signals to adjacent property

owners and developers that the West Area Plan's vision for the corridor is being realized, helping to catalyze compatible reinvestment in the surrounding area.

Standard 5: Adequate utilities, access, drainage, and site improvements have been or are being provided. (MGO Sec. 28.183(6)(a)(5))

The Project has been designed with site improvements to ensure adequate infrastructure and improved multimodal access:

- Utility connections to existing City water and sewer mains within the existing rights-of-way.
- Stormwater management facilities designed in compliance with City engineering standards.
- Vehicular access from Odana Road, Medical Circle & Whitney Way with appropriate ingress/egress geometry and sight-line clearances.
- Bicycle parking provided on-site in accordance with zoning requirements.
- Pedestrian connections from building entries to the public sidewalk network and through the site connecting Odana Road & Medical Circle
- Proximity to existing Madison Metro Transit local bus service on Odana Road, which the West Area Plan confirms offers 30-minute weekday and Saturday service, supporting transit-oriented residency and reduced automobile dependence consistent with the Plan's goals. The West Area Plan also identifies Odana Road as a corridor where on-street bicycle facilities have been recently added, further supporting multimodal access for future residents.

All required improvements will be confirmed through the site plan and building permit review processes.

Standard 6: The conditional use conforms to all applicable regulations of the district. (MGO Sec. 28.183(6)(a)(6))

The Project has been designed to conform to the applicable dimensional and use standards of the underlying CC-T zoning district.

Standard 8: New Construction — Aesthetic Desirability (MGO Sec. 28.183(6)(a)(8))

On March 4, 2026 the Project received initial approval with conditions from the Urban Design Commission. The conditions were primarily focused on increasing landscape barriers and updating portions of the building facades. We reviewed the conditions with our design professionals and are confident that they can be met.

Standard 11: Height in Excess of District Limits (MGO Sec. 28.183(6)(a)(11))

The West Area Plan supports taller buildings on the Odana Road & Whitney Way corridor, assigning an 8-story to 12-story height designation to many parcels in the area. The 5555 Odana parcel is specifically identified as a site with a 6-story height designation, and the 5534 Medical Circle parcel is specifically designated for 5-stories (*West Area Plan, p.16*), which is consistent with our proposed buildings. We acknowledge the rear of Building A has an exposed partial story for the entry into the underground parking garage, but this is a result of the topography of the site and not a true additional story. When viewed from the primary façade along Odana Rd, the buildings reads as six stories. We think that any

step-back of the top story would be form over substance. It would not change the visual or shadow impacts of Building A, but it would negatively impact the overall Project by providing fewer affordable housing units. Further, Land Use Action 4 (*West Area Plan*, p. 64) calls for the implementation of bonus stories for developments achieving affordability parameters which is the circumstance here, and a clear indication of a desire to use additional height to produce additional affordable housing within the City.

Bear has conducted shadow studies of Building A and Building B. The study for Building A (6-story) confirms the building's impacts on surrounding properties is limited. Shadows are limited in duration and extent, do not materially affect occupied outdoor spaces of neighboring properties, and do not meaningfully diminish light or air to adjacent uses. The 6-story building is located north of the adjacent properties along Medical Circle and far enough west of the adjacent commercial properties to the east so shadow impacts are limited given the solar path of the sun. See Exhibit A- Shadow Studies.

The Project has been designed to a quality commensurate with its height and visibility on Odana Road and Medical Circle as indicated by the Urban Design Commission's Initial Approval. The building's placement and ground-floor commercial spaces activate the street edge and maintain pedestrian comfort at the sidewalk, consistent with the West Area Plan's vision for an active, vibrant corridor.

III. DEMOLITION PERMIT APPROVAL — MGO SEC. 28.185

MGO Sec. 28.185(6)(c) requires the Plan Commission to find that both enumerated standards are met before approving a demolition application.

Standard 1: Demolition is consistent with or will aid in the implementation of adopted plans. (MGO Sec. 28.185(6)(c)(1))

Per the CUP section of the staff report, this standard is believed to be met without need for additional analysis. Additionally, 5534 Medical Circle is not identified as a property of historic interest nor is Medical Circle identified as a potential historic district in the West Area Plan.

Standard 2: Factors outweigh the public interest in preserving the existing structures. (MGO Sec. 28.185(6)(c)(2))

The Plan Commission must find that factors exist that outweigh the public interest in preserving the existing buildings. Independent factors support that finding here:

a. Documented Deteriorated Condition of 5534 Medical Circle.

The owner of the building at 5534 Medical Circle has provided documentation establishing that the building requires significant capital investment to extend its useful life. Its prior owner and current tenant (Madison Psychiatric Associates) made the decision to sell the property and will be relocating to a new site on June 1, 2026. This decision was unrelated to the Project but rather is due to the functional obsolescence and deferred maintenance of the building. This documentation demonstrates that preserving the existing structure is not economically feasible, given the magnitude of required repairs relative to the building's current condition and value. MGO Sec. 28.185(6)(c)(2)(i) expressly provides that a building "in such a deteriorated condition that it is not structurally or *economically feasible* to preserve or restore" satisfies the factors-outweighing standard. We believe the owner's documentation

of significant required repairs directly satisfies this criterion. Given current leasing economics, completing the renovations required to extend the life of the building and attract a new tenant would result in a significant financial loss.

b. Substantial Public Benefit of Affordable Housing Redevelopment.

The replacement of these structures with a new mixed-use development that maintains significant commercial space and adds affordable housing units represents a substantial public benefit that far outweighs any interest in retaining the existing building on Medical Circle.

c. Mitigation.

Bear proposes the following measures to document and acknowledge the existing building at 5534 Medical Circle prior to its demolition. As-built drawings and high-quality photographs of the building's exterior and interior will be prepared and made available for the historical record. To the extent feasible, Bear will explore opportunities to salvage meaningful architectural materials for reuse by interested parties. Bear also proposes to install an exhibit in the lobby of the new development recognizing Marshall Erdman, celebrating his legacy and his contribution to the architectural character of this site and the City of Madison. Direct conversations have been had with the Erdman family who has indicated a willingness to help with this endeavor and contribute materials to the lobby exhibit. See Exhibit B which is a letter submitted to public comment from Marshall Erdman's son.

IV. CONCLUSION

Bear Development believes the Project represents exactly the type of development the City's planning framework envisions for this location— quality affordable housing which also maintains commercial square footage on an underutilized site with strong transit access. We believe the Project satisfies all applicable standards for conditional use and demolition approval under MGO Sections 28.183 and 28.185, is consistent with the West Area Plan, the Comprehensive Plan, and the Generalized Future Land Use Map, and meaningfully advances the City's affordable housing goals while maintaining significant commercial space within the corridor.

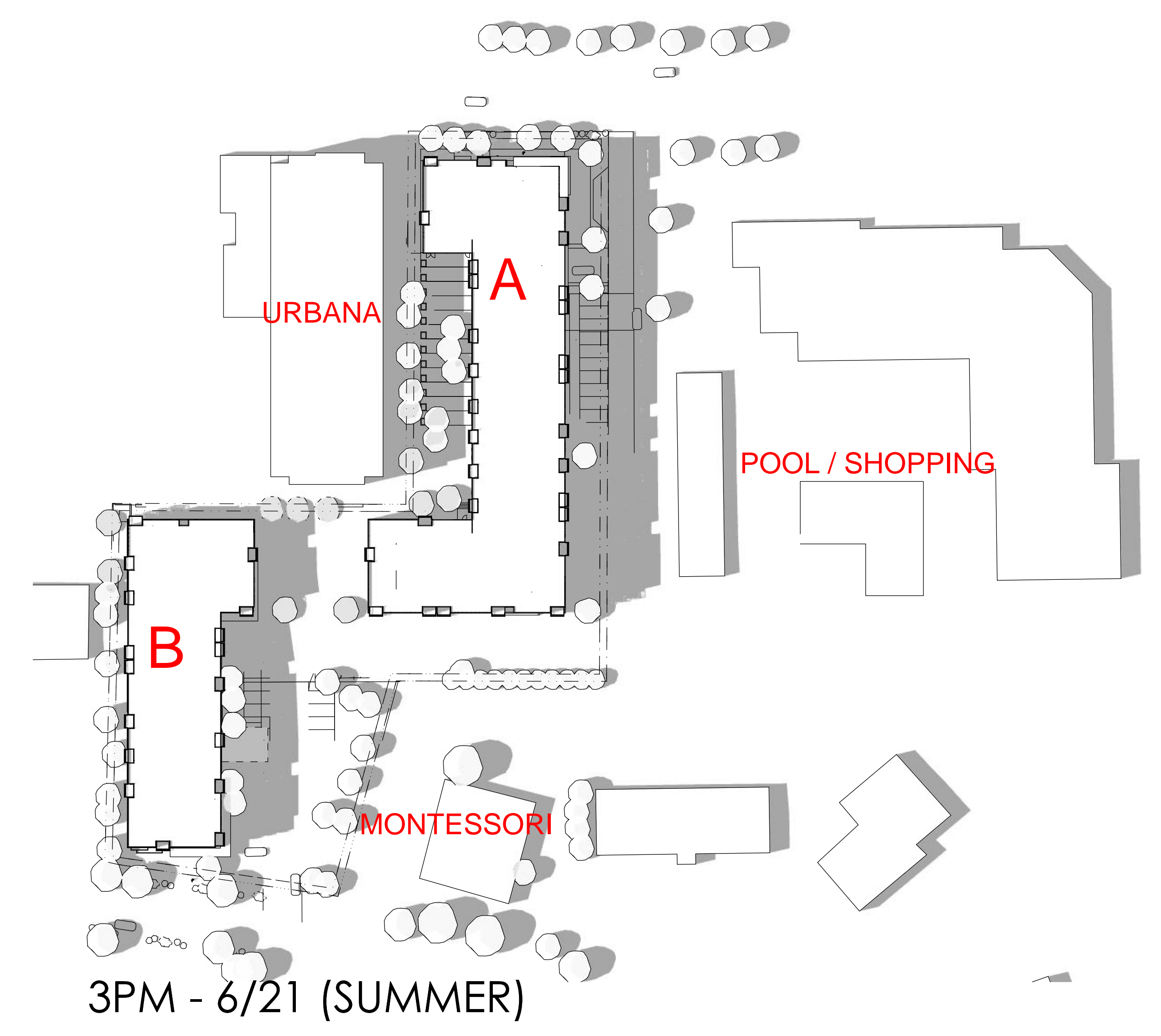
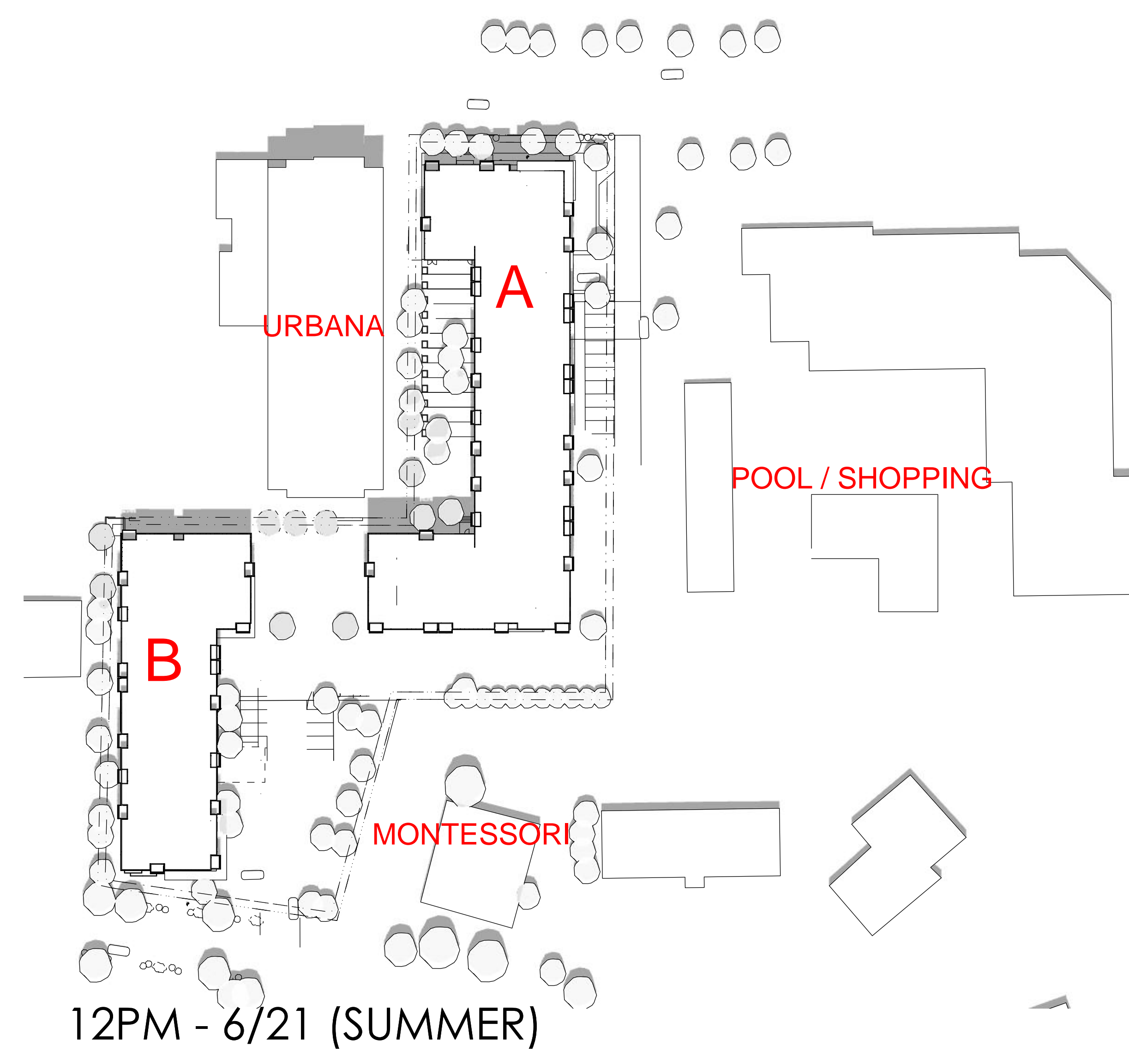
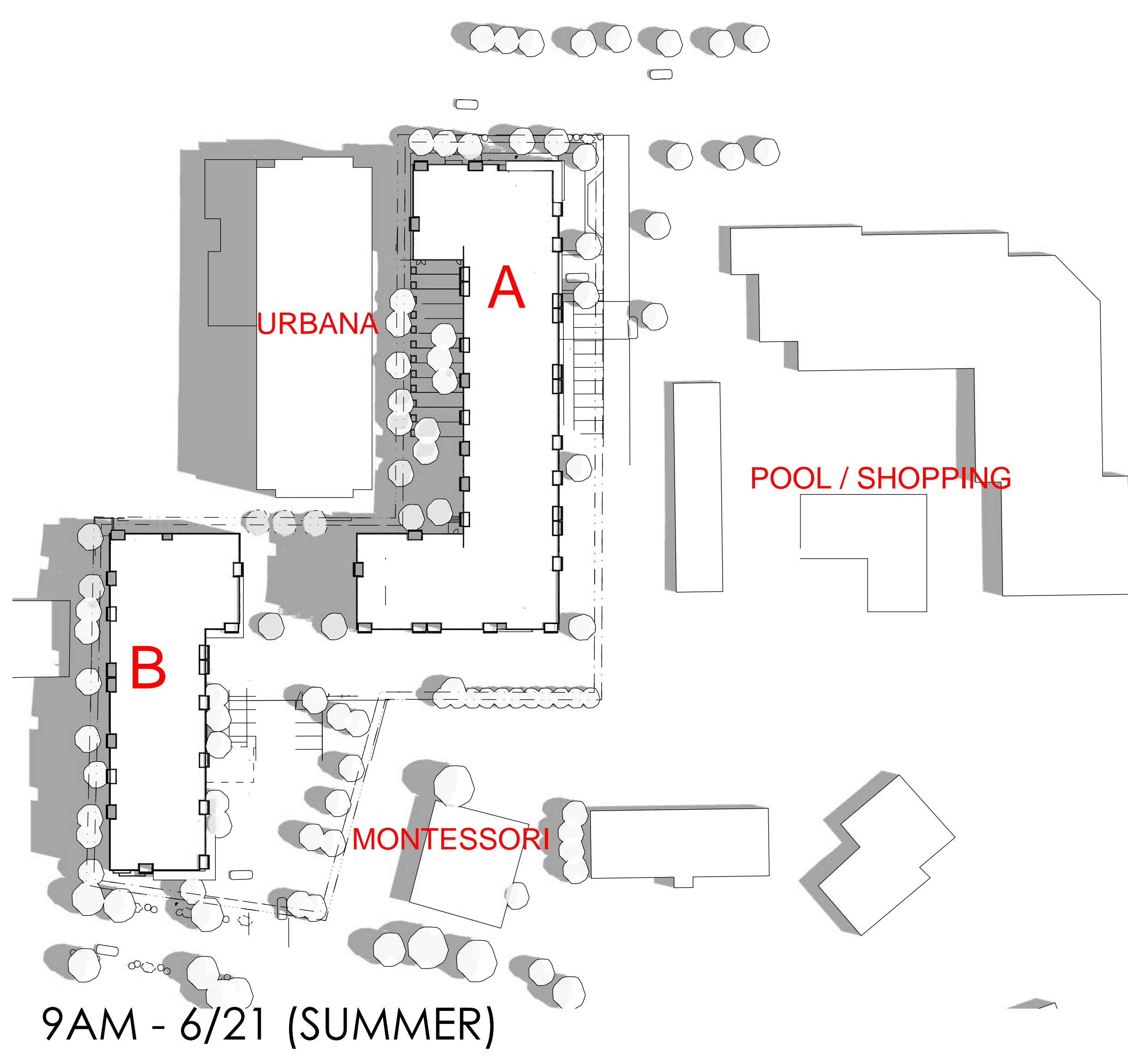
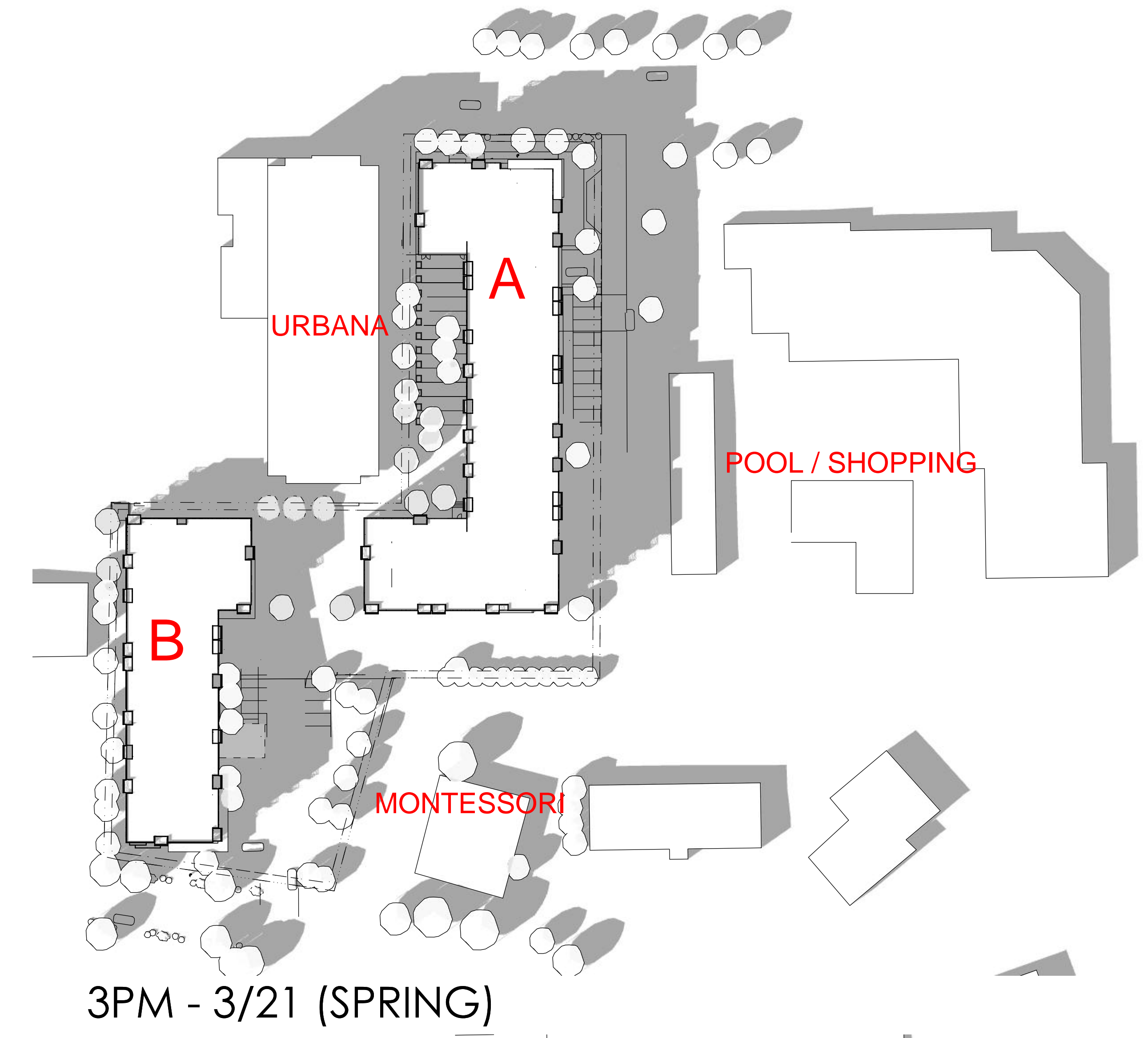
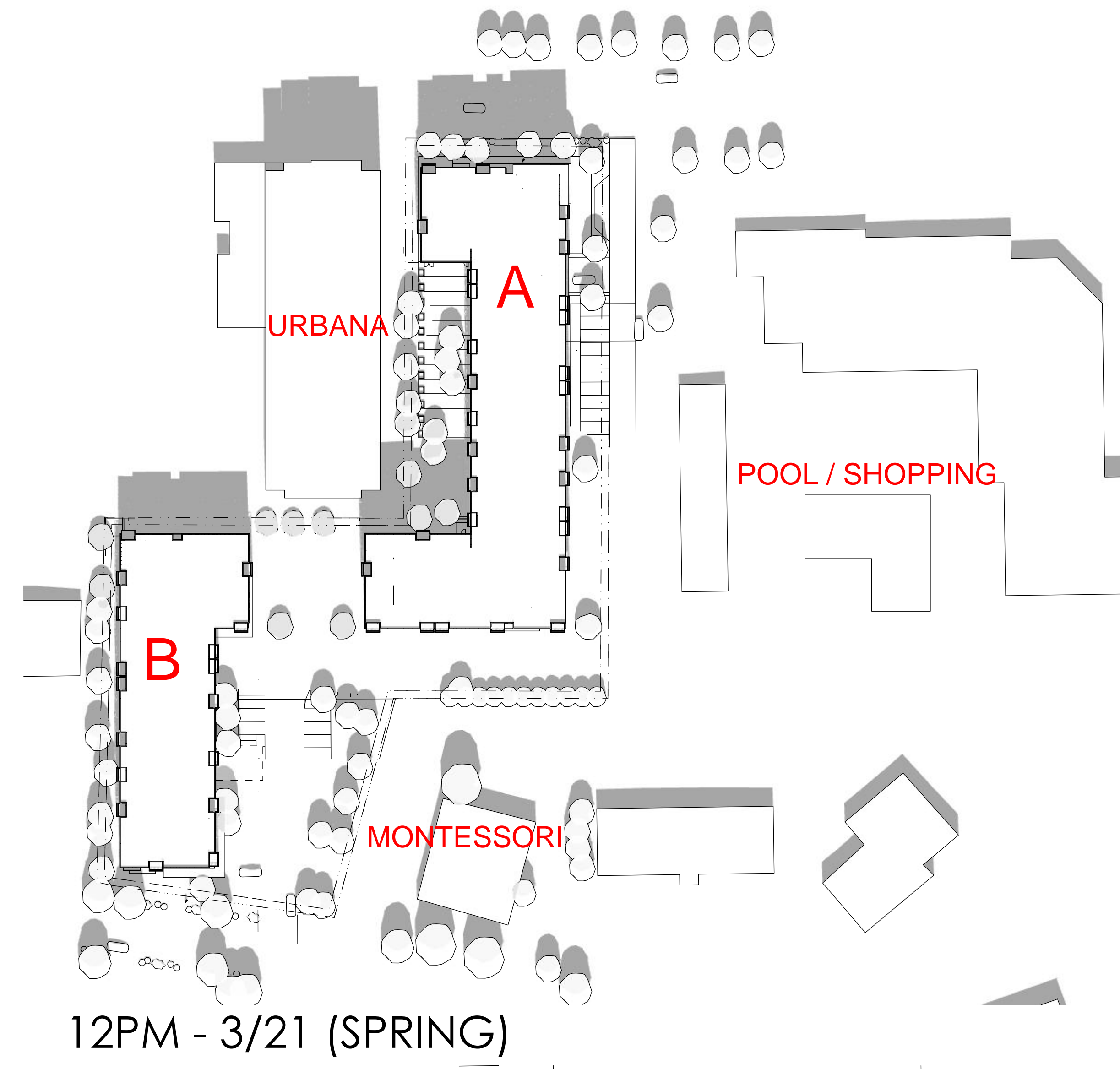
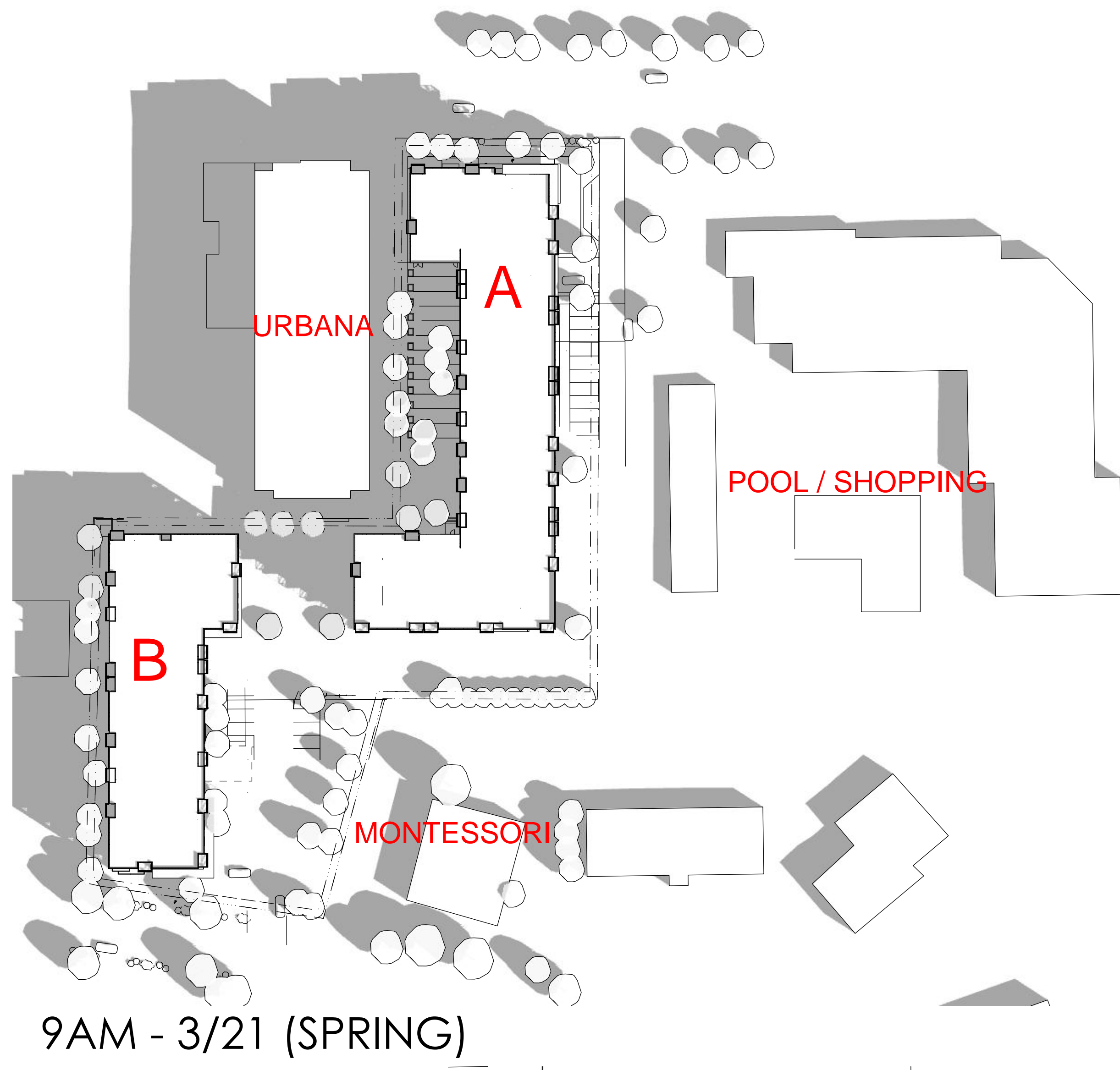
We appreciate the Plan Commission's time and consideration and look forward to the opportunity to discuss the Project further at the public hearing.

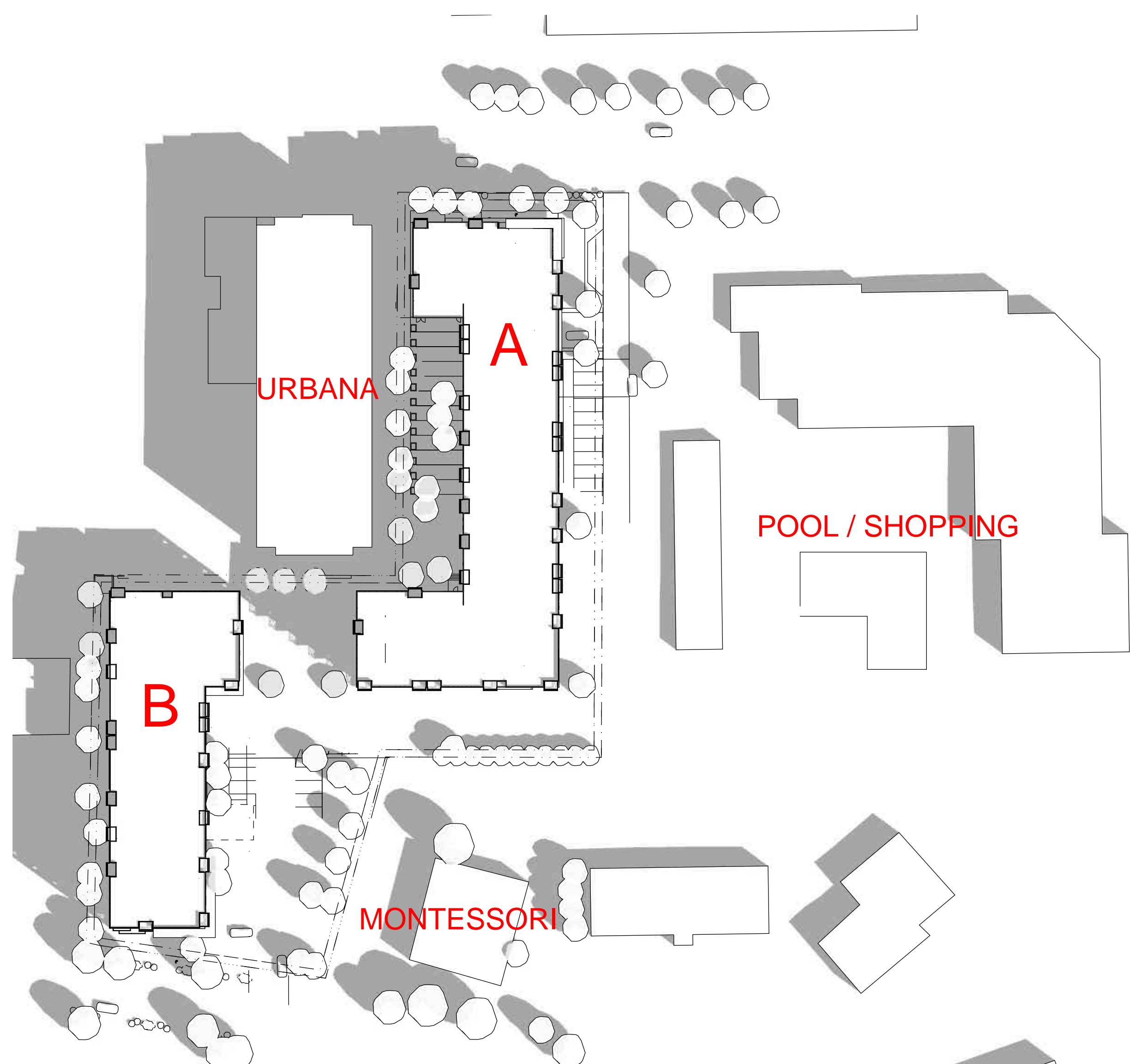
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'NO', is written over a light blue horizontal line.

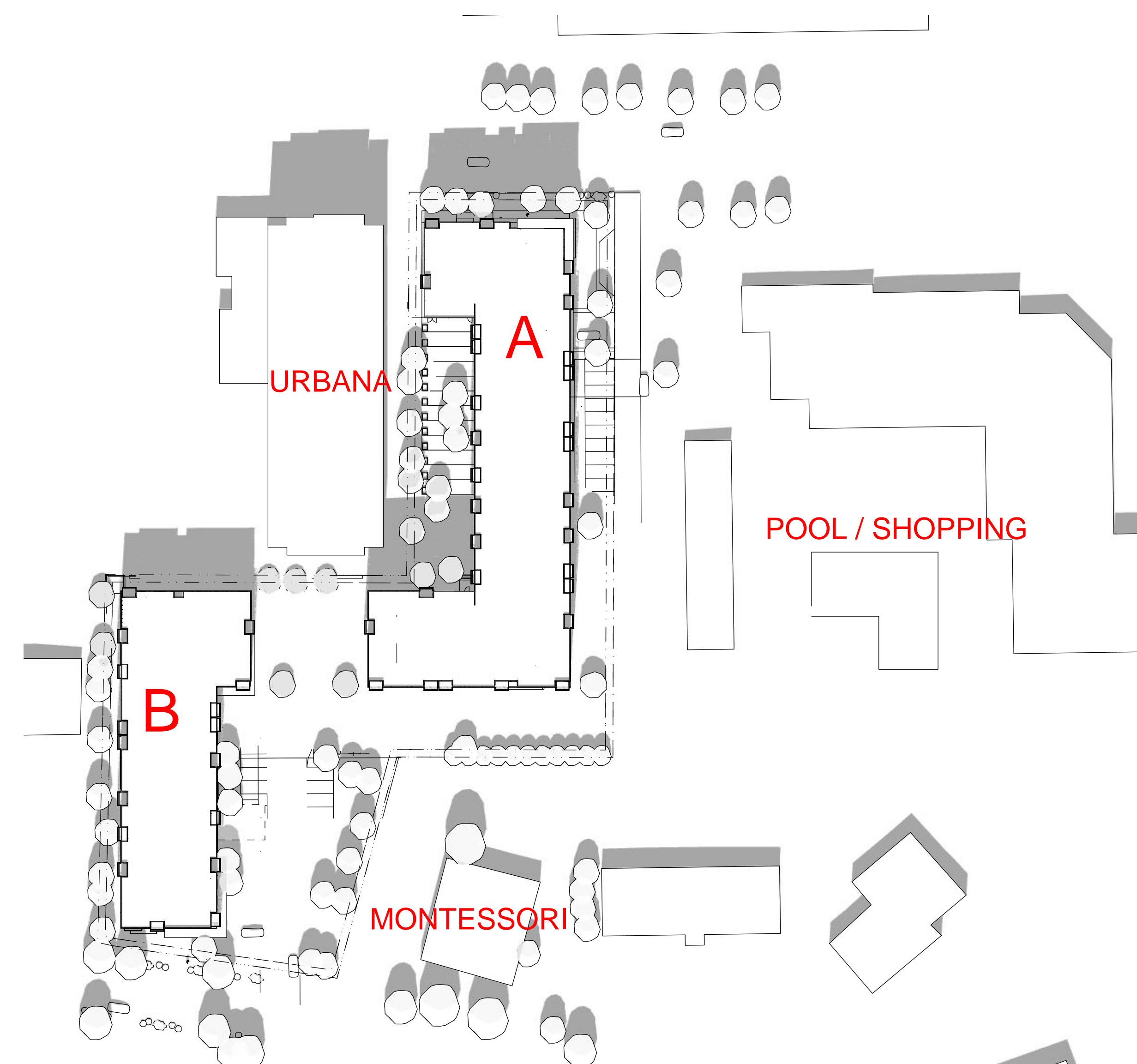
Nick Orthmann
Director - Development
Bear Development, LLC

EXHIBIT A

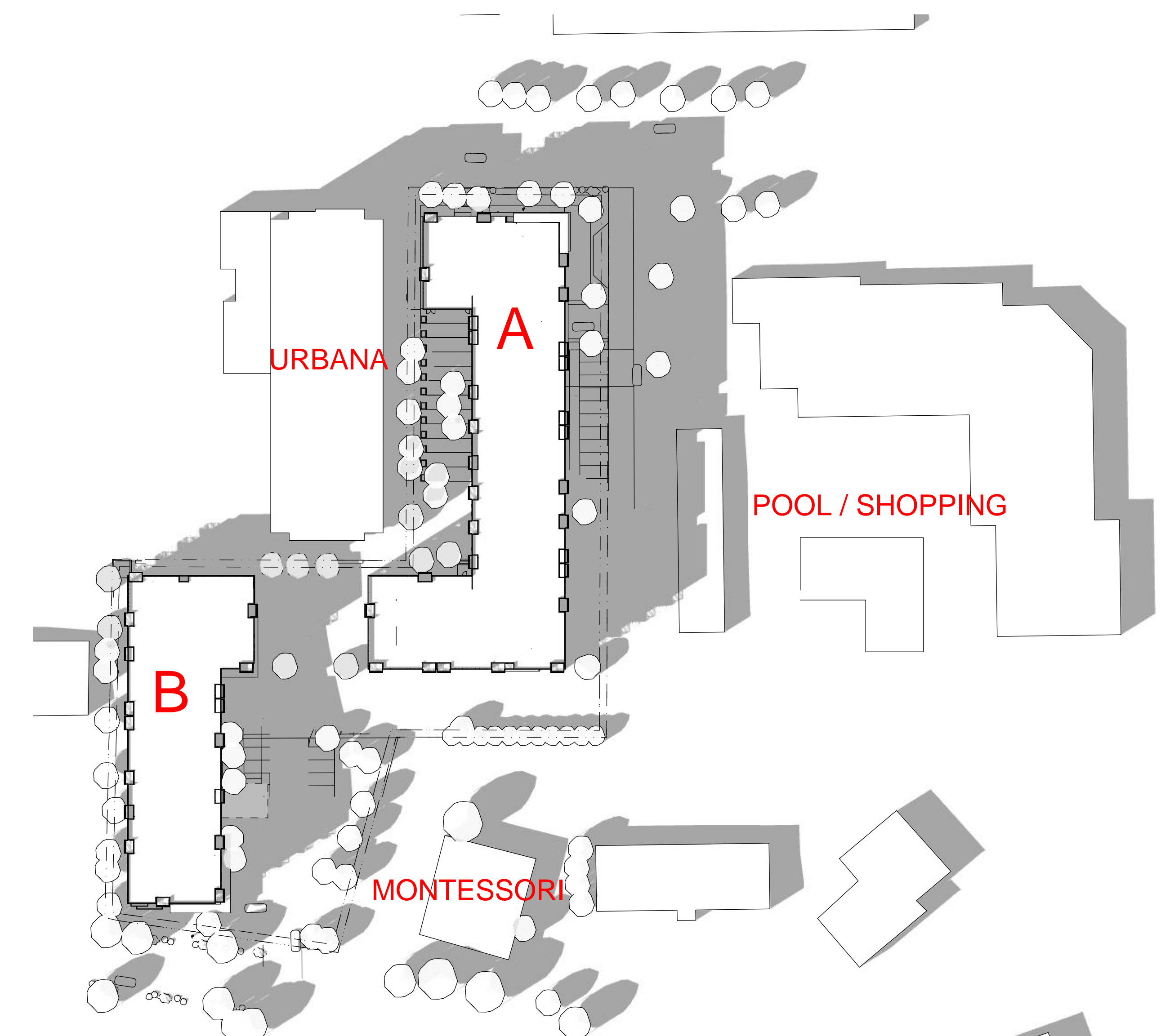




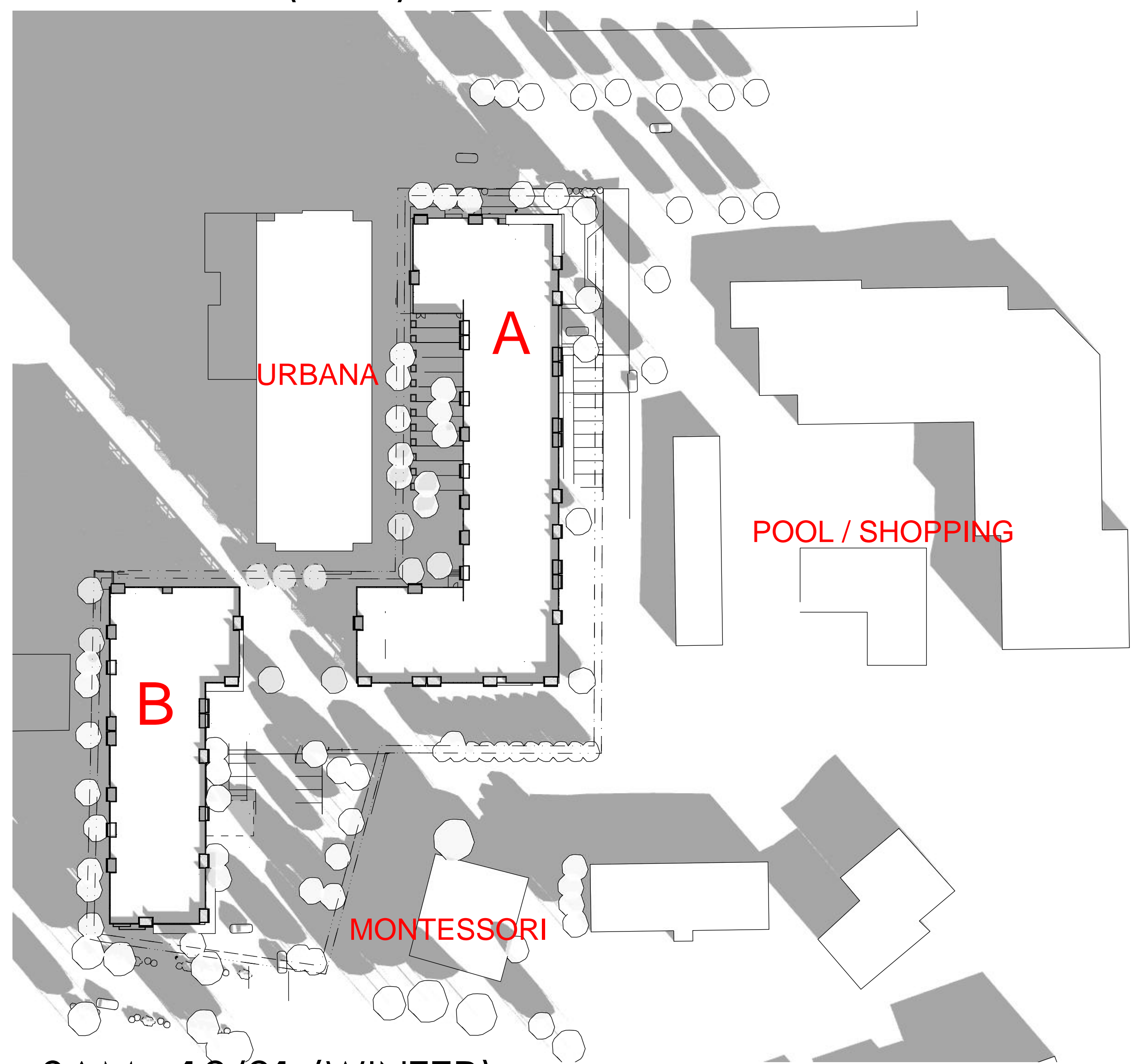
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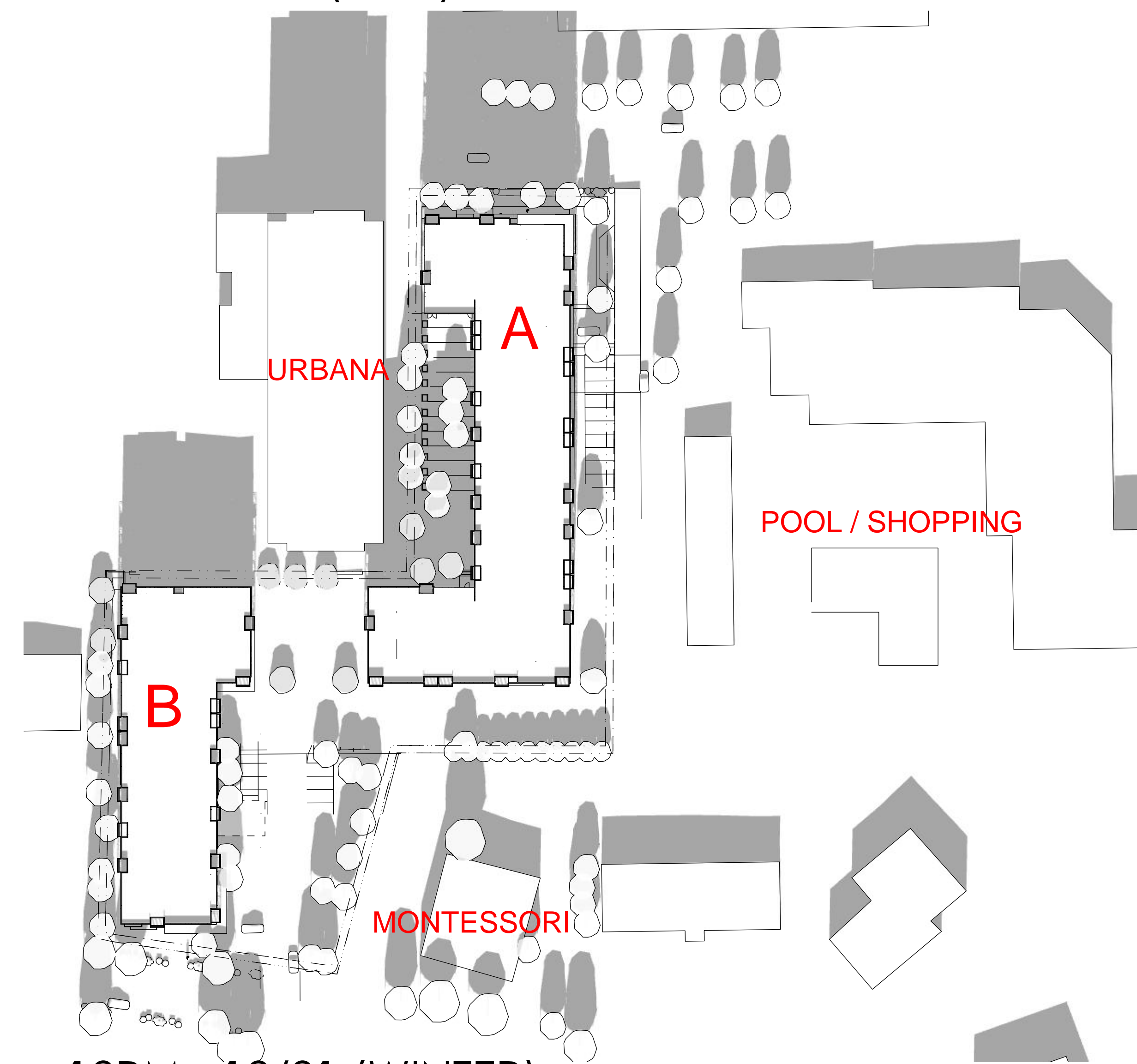
12PM - 9/21 (FALL)



3PM - 9/21 (FALL)



9AM - 12/21 (WINTER)



12PM - 12/21 (WINTER)



3PM - 12/21 (WINTER)

EXHIBIT B

From: [Tim Erdman](#)
To: [Plan Commission Comments](#)
Subject: 3/16/2026 Planning Comm Mtg - file 91459
Date: Thursday, March 12, 2026 10:31:45 AM

You don't often get email from timerdman@gmail.com. [Learn why this is important](#)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

March 12, 2026

City of Madison Plan Commission
c/o Planning Division
215 Martin Luther King Jr. Blvd.
Madison, WI 53703

Re: Public Comment – Demolition of 5534 Medical Circle (Legistar file 91459)

Dear Members of the Plan Commission,

My name is Tim Erdman. I am the son of Marshall Erdman, the architect and developer whose work has been referenced in discussions about the buildings along Medical Circle. I also own the adjacent building at 5520 Medical Circle.

I am writing to provide context about these structures. While my father was involved in designing and constructing several buildings in this area, including 5534 Medical Circle and the adjacent buildings to the east, I do not believe they represent historically significant examples of his work, nor was their preservation ever an intended objective. They were practical commercial structures designed to serve medical office users of that era — not landmark architectural statements.

I would also note that my own building at 5520 Medical Circle has similarly reached the end of its useful life. Like the other structures along this stretch, it no longer easily accommodates modern medical or commercial users without significant reinvestment.

My understanding is that Anna Andrzejewski's comments at the February Landmarks Commission meeting were intended to be informational only, not to result in the formation of a historic district along Medical Circle.

For these reasons, I do not believe 5534 Medical Circle or the adjacent buildings should be treated as a historic resource, and I support allowing the proposed demolition and redevelopment to proceed through the City's normal review process.

I also wanted to mention that I have been in conversations with Bear Development about finding a way to honor my father's legacy as part of the newly proposed project. We have discussed creating an archive or exhibit in the lobby of the new building that commemorates his work and his connection to this area, and both parties are committed to making something like this happen. I think it would be a fitting way to acknowledge the history of the site while embracing its future, and it is something I look forward to seeing come together as the project moves forward.

Thank you for considering my comments.

Sincerely,

Tim Erdman
CEO
Erdman Holdings, Inc.
Owner, 5520 Medical Circle