

CRANES

Capital Region Advocacy Network for Environmental Sustainability

On behalf of its member organizations and individuals, advocating collaboratively for the environment of the South Central Wisconsin region (eight counties: Columbia, Dane, Dodge, Green, Iowa, Jefferson, Rock and Sauk) toward a high quality of life; an ecologically sustainable and just culture; and, the celebration of the beauty of this place, both natural and built.

VISION

The Capital area's environment, including water, land, and air resources, will be conserved or restored to ensure the region's quality of life and the beauty of this special place, for all who live or visit here, now and in the future.

PARTNER ORGANIZATIONS

- EarthART® Resources*
- Friends of Cherokee Marsh*
- Friends of Pheasant Branch Conservancy*
- League of Women Voters - Dane County*
- Madison Audubon Society*
- Sierra Club - Four Lakes Group*
- W. Dane Coalition for Smart Growth & Environment*
- West Waubesa Preservation Coalition*

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17 May 2011

City of Madison Common Council and Mayor Paul Soglin
City-County Building 410 MLK Jr. Blvd
Madison WI 53703-3345

SUBJECT: Legislative File ID # 21853, Adopting amendments to the Generalized Future Land Use Plan maps in the City of Madison Comprehensive Plan.

Dear City of Madison Alders and Mayor Soglin:

Regarding Item No. 21 on tonight's City Council agenda, the *Capital Region Advocacy Network for Environmental Sustainability* (CRANES) requests that the following language be added to the any motion to approve adoption of the Cherokee Special Area Plan (CSAP) to the Generalized Future Land Use Plan maps in the City of Madison Comprehensive Plan:

"The 2007 Cherokee Special Area Plan's Subarea 1 will be developed only after the City has certified that all other Subareas have been developed to 90% of build-out, and no sooner than 2025, while also meeting the water quality/quantity conditions set out in the Cherokee SAP."

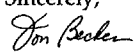
This language simply reaffirms conditions laid out in the CSAP approved by the Common Council in January 2007, just 28 months ago. The CSAP, a product of hard-won compromise, stipulates that Subarea 1 development is to occur last, i.e., after Subarea 2 and all the other subareas are "built-out" (typically 90%). That written promise to City residents as to how phasing would proceed was reinforced by verbal promises from Bill White, representing the owner and likely developer of these subareas, Cherokee Park Inc. (CPI), before the City Council, its various committees, and the public. Additionally, in support of Council adoption of the CSAP, Atty. White testified to the City Council in DEC 2006 that development of Subarea 1 would not take place for at least 15 years, i.e., 2022. Furthermore, in testimony to the City and at public meetings, CPI owner Dennis Tiziani or other CPI principals spoke of proceeding slowly, taking 25-50 years (2032-57) to complete the whole project, with the last phase being Subarea 1. [Some of the relevant statements may be found in the City's records for the CSAP public review process, DEC 2005-JAN 2007; others may be found in the record of the Capital Area Region Planning Commission public hearing on the City's application for amendment of the Central Urban Service Area to include Subarea 1 and 6, held during the Summer of 2007.]

The conditions laid out in the CSAP still pertain, despite some Subareas since having been purchased from a willing seller, CPI, by the City, Dane County, or the State of WI, for addition to the publicly owned portions of Cherokee Marsh. We applaud these purchases, and are not aware of any changes to the CSAP that were contingencies to their execution. All parties, including the landowner and the public, benefitted from these wise City investments.

It has recently become apparent that it is important that the Common Council reaffirm some of the most important conditions laid out in the CSAP for the remaining Subareas. This year, CPI submitted a Comprehensive Plan amendment request that calls for building in Subarea 1, i.e., prior to build-out of the other remaining subareas. Additionally, the CPI amendment requests up-zoning from the low-density single-family residential (8-15 units/ac) called for in the CSAP, to an entirely different category to allow construction of a 9-acre senior living facility with high-density (32-36 units/ac) and an estimated 60% impervious surface area. The 2007 CSAP's phasing and density requirements, as well as some water quality/quantity requirements, were primarily intended to assure that the Capital region's most important wetland, Cherokee Marsh, was properly protected from stormwater runoff. In setting the density and type of development, there was additional consideration in the CSAP of neighborhood concerns for community impacts from traffic and other quality of life issues, especially those of nearby Whitetail Ridge NA. (The phasing conditions also are standard good planning practice, to assure efficient delivery of urban services and to prevent accidentally creating leapfrog or orphan development.)

Considering all the above, CRANES ask the Common Council to reaffirm the concerning phasing and water quality/quantity conditions, as part any vote approve the CSAP as an amendment to the Generalized Future Land Use Plan maps in the City of Madison Comprehensive Plan.

Sincerely,



Jon Becker
Vice-President & Treasurer, CRANES 2010-11 Board of Directors

Dear City of Madison Alders Clerk, and Mayor Soglin:

Regarding Item No. 6 on tonight's City Council agenda, I am writing to ask that you refer this request from WI's Department of Administration (DOA) back to the Plan Commission, with a recommendation that there be a minimum of six months for the DOA to (1) consider other siting options, including those on land in the City of Madison not owned by the State, and (2) for all the site options that emerge as worthy candidates, work with City staff and relevant elected City and State officials to design and implement a public participation plan. This would be more effective than simply referring the matter back to the Council for consideration at its JUN 7 meeting, as the DOA has requested of our current D18 alder.

It is certain that, having apparently ruled out alternatives to wasteful greenfield development (on State-owned land that currently is zoned Conservancy), the DOA must start over on its site selection process. There are alternative sites, including some that would provide much needed urban infill and thus be even more environmentally friendly, but it will take time and effort to identify those. Also, the public as well as local and state elected officials representing the Northside or any other sites will need to be involved.

The first public meeting on the currently proposed 402 Troy Drive site was held on the Northside just 10 days ago. Based on what is now known from that meeting, from other meetings/communications with the DOA, and from additional research by myself and other Northsiders these past several days, it is clear that there has been no meaningful public participation to date. Even our State Assembly Rep. Helen Kelda Roys was unaware of the DOA proposal to build in her district.

It is irrelevant that the WI Historical Society (WHS) or WI Veterans Museum (WVM) have been discussing for several years the need for this facility. [As far as I know, no one, including myself, is debating the need for a Preservation Facility. Some are concerned about the stability of the state-approved funding now that our governor has declared Wisconsin "broke" and what implications that might have, if the state land is rezoned from C Conservancy District to M1 Limited Manufacturing District, and the state funding for the Preservation Facility is withdrawn.]

It is also irrelevant that the DOA chose this site a year ago, after discussing several sites with some other state officials at Mendota Mental Health Institute (MMHI) or Central Wisconsin Center (CWC). This was not a public process, so it is unknown how many who work at, live in, or are served by these existing state facilities were afforded an opportunity to comment. It is also unknown how the DOA ruled out all the other many potential locations on these two state-owned campuses, much less other sites, state-owned or otherwise, that the state might be able to build on at no charge to taxpayers. At the Northside meeting, DOA or WI Historical Society officials reported that one of the sites on Mendota Mental Health Institute grounds was rejected because it would have affected existing woodland buffering of the North Lake Mendota Neighborhood Association (NLMNA). However, according to former Alder Paul Van Rooy, who lives in the NLMNA, there has been no communication, much less a public meeting or process, with that neighborhood. The applicant's representative, the project architectural team, contacted the former D18 alder according to City planning department protocols, but received no response. No contact was made with any traditional neighborhood association, because none exists within the usual bounds. No contact was made with the neighboring Community Ground Works (Troy Gardens) or the adjacent cooperative housing organization to the east. According to City protocols, a notification mailing was delivered earlier this year to individual nearby neighbors, but that did not include Harper Drive residents, where it seems that a sewer line will need to be enlarged. Neither the Northside Planning Council nor the Northside News (distributed free to all Northsiders) was notified. A couple other sites on the CWC or MMHI campuses appropriately were rejected, on the basis of Native American cultural implications, including the likelihood of finding artifacts from the Mound or Woodland eras.

Again, the relevant issue is the DOA's site selection criteria and process, and the related public participation process. Ideally, a master plan should first be developed for the MMHI and CWC campuses, before these culturally significant properties, and their important natural resource values, are further diminished by piecemeal re-zoning.

That is why I am asking the City Council to refer this request back to the Plan Commission for six months minimum.

Regards,

Jon Becker
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P.S. A six-month delay would also allow the DOA to reconsider renewable energy generation in the construction of this building, toward meeting the State of WI's goals for renewable energy for its own operations and facilities. At the Northside public hearing the DOA mistakenly informed those present that, because the roof of the Preservation Facility must be leakproof, a standing seam metal roof will be used, so attachment of rooftop solar arrays would be impossible. Actually, there are solar panel mounting devices custom-designed for attachment to standing seam roofs, without penetration thereof; these actually prolong the life of a metal roof; they are F2 Tornado/Wind rated, similar to standing seam metal roofs. Another alternative: pole-mounted arrays, with solar tracking for more efficiency. The solar energy generated onsite by the facility will be too variable for the highly specialized HVAC needs of a Preservation Facility, but the energy generated that is either usable onsite and or fed into the utility grid and eligible for the WI renewable energy feed-in tariff will at least offset utility billing for energy. If the building is designed well for energy efficiency, onsite solar energy generation could even produce a net revenue stream at some point, especially if energy costs continue to rise.

Submitted as an individual Northside resident. FYI only:

- Co-founder & Past-President, *Friends of Cherokee Marsh*, CherokeeMarsh.org
- Past-President, *Friends of Lake View Hill Park* (Dane County Parks, WI)
- Co-founder & Vice-President/Treasurer, *Capital Region Advocacy Network for Environmental Sustainability*, CRANESinc.org