

From: Noonan, Katherine
Sent: Tuesday, November 15, 2011 4:17 PM
To: Parks, Timothy
Subject: cul-de-sacs

Tim – The fact Sec. 16.23(8)(1) does not include any particular list of “unique physical features” other than topography, suggests that the determination will be very site specific. “Unique” has no special legal meaning. A unique feature need not be something that is exclusive to the site but rather something about the site that makes it difficult to meet the goals of the ordinance. In some cases, there may be competing goals. For example, this provision states that street should be designed and located in proper relation to topography and streams and trees, and an objective should be preservation of existing streetscape vegetation. On the other hand, also listed as objectives are compact development patterns, improved neighborhood livability from a more pedestrian-friendly environment. Compact development may be undermined by cul-de-sacs, however, there may be a particular site that has mature trees in the area where a through street should go. Other features I can imagine might similarly favor a cul-de-sac rather than a through street might be a small wetland or an area that is the best place for stormwater retention. The Plan Commission should look at the big picture to determine the best way to meet the individual standards when they may seem at cross-purposes. Regarding cul-de-sacs, I think that the ordinance is clear that they are not favored unless there is some characteristic of the site that balances this disfavored position. Kitty

Katherine C. Noonan
Assistant City Attorney
City of Madison
210 Martin Luther King, Jr., Blvd.
Madison, WI 53703
608-266-4511