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January 5, 2007

Ms. Nan Fey, Chair
City of Madison Plan Commission
c/o 215 Martin Luther King Jr. Blvd., Room L-100
Madison, WI 53709

Dear Ms. Fey:

On Monday evening, January 8, 2007, the City's proposed Special Area Plan ("SAP") which covers the remaining lands owned by Cherokee Park, Inc. ("CPI") will come before the Plan Commission for the eighth time in the past 15 months. While this SAP has evolved over time, it is CPI's feeling that it is time for action. Much of what has been discussed recently regarding environmental enhancement, stormwater management, wetland buffers and the like are perfectly appropriate topics for the development process. However, none of this can happen until the SAP is approved. Approval is set for Monday.

While we appreciate the efforts of many neighbors and friends to suggest a very dense development on a very small amount of ground by moving 600 dwelling units onto 25 acres of land, it is not a feasible proposal and is not acceptable to CPI. The proposal will require five to six story buildings with above ground parking and will be totally out of character with the area. They would be unmarketable. That proposal will also allow very little on-site storm water management. In fact, most of the stormwater from that site will be diverted, not to Cherokee Marsh, but to Starkweather Creek. CPI cannot accept this drastic and bizarre proposal. It will negate the Memorandum of Understanding.

The City's SAP envisions a series of neighborhoods which are consistent with the existing neighborhoods, are environmentally sensitive, promote stormwater management and wildlife reestablishment. It is far superior to a proposal which provides urban densities which are, frankly, out of place.

We are enclosing with this letter some materials which you may find helpful. We invite you to review them and go to the parts which you find most important, whether they be stormwater management, water quality preservation, neighborhood architecture, housing types or similar issues. In the past, CPI has shown a willingness to work with the City to develop a unique and vibrant neighborhood on the north side of Madison. We have every expectation that our relationship with the City will continue to grow in the future to promote the varying environmental, aesthetic, demographic and economic diversity needs of this City.

We will be present on Monday evening in support of the City's Special Area Plan. In the meantime if you have any questions at all, please do not hesitate to contact either me on my cell

MICHAEL BEST

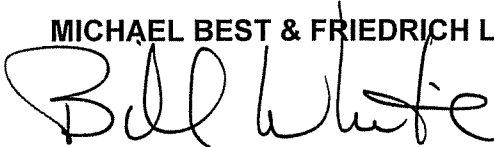
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phone at 695-4946 or Dennis Tiziani on his cell phone at 886-3649. We look forward to seeing you on Monday evening.

Sincerely,

MICHAEL BEST & FRIEDRICH LLP



William F. White

WFW:hmm

Enclosures

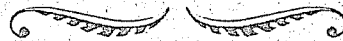
cc: City of Madison Plan Commissioners
Mayor David Cieslewicz
Bradley A. Murphy
Rick Roll
Katherine Noonan, Esq.
Jeanne Hoffman

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OUR COMMITMENT TO THE PLANNING PROCESS

Much thought and preparation by a variety of experts has gone into the city of Madison's growth plan to ensure that the future of our city is strong and that our communities remain vibrant. A steadfast planning process is key to meeting the goals of the city as a whole and the individual neighborhoods within the city. For more than 40 years, Cherokee Park Inc. (CPI) has shown its commitment to improving the quality of life for north side residents.

Cherokee Park Inc. remains committed to working with the city of Madison and local residents to ensure the next phase of development of Cherokee Park is consistent with and complementary to the city's comprehensive plan for growth. CPI has invested significant time and resources in talking to city officials, local residents and other interested parties and in designing a plan that best suits the city, the neighborhood and residents. We are prepared to move forward and are anxious to identify the best possible scenario for all parties.



Q: How is Cherokee Park Inc. working with the city of Madison to manage growth and enhance economic development?

A: Cherokee Park Inc. has followed the city of Madison's well thought-out growth plans in order to design its next phase of development in the Cherokee Park community. CPI has worked closely with city planners for more than three years to ensure compliance of the city's comprehensive plan through the development of a detailed Cherokee Park Special Area Plan. In addition, CPI has participated in more than 40 meetings with neighborhood residents, interested parties and city and state officials and staff. Please see addendum for partial list and dates of meetings.

- Three neighborhood meetings since December 2005;
- Eight Plan Commission meetings since September 2005;
- Two meetings with the Whitetail Ridge Neighborhood Association;
- Three meetings with Friends of Cherokee Marsh;
- One meeting each with the Parks Commission and Long Range Transportation and Parking Commission; and
- More than 26 meetings with Madison city staff, Wisconsin Department of Natural Resources and the Town of Burke.

Q: What are the key features of the Cherokee Park Inc. plan?

A: Cherokee Park Inc. has created a comprehensive campus master plan that complements the city of Madison's Comprehensive Plan. CPI has also gathered a team of experts including designers, arborists, consultants, attorneys and engineers to fully research, design and assess the project. It is CPI's intention to exceed state and local environmental regulations. CPI's plan includes the following features:

- Comprehensively designed residential neighborhood;
- Diversity of housing types and a mix of moderately-priced and high-end housing choices;
- Interconnected pedestrian and bicycle trail system;
- Expansion of Cherokee Conservation Park and public ownership of Cherokee Marsh; and
- Expanded open space system for public recreation, trail connections and stormwater management.

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Cherokee Park Inc.
13 Cherokee Circle #101
Madison, WI 53704

CHEROKEE PARK
INCORPORATED

OUR COMMITMENT TO THE PLANNING PROCESS

Q: What changes has Cherokee Park Inc. made to its plan in the past year?

A: Cherokee Park Inc. has participated in an ongoing dialog with city staff and officials, neighborhood residents and interested parties and has listened to recommendations and suggestions generated at these meetings. As a result, CPI has adjusted its plan in a number of ways, including:

- CPI has reduced the total number of units on its property by one-third, from 1,000 units presented in April 2006, 894 units presented in June 2006 and 631 units presented in December 2006;
- CPI has reduced the total net development area by one-quarter from 140 acres presented in April 2006, to 108 acres presented in December 2006;
- CPI has reduced the residential scale and density in the Wheeler Triangle, Hornung/Range, Fifth Addition and High Hill sub areas to be more sensitive to the character of the adjoining neighborhoods, the Cherokee Conservation Park and the Cherokee Marsh; and
- CPI has significantly increased the public open space in its plan including acquisition of 24 acres to expand Cherokee Conservation Park, acquisition of the 234 acres Cherokee Marsh and the potential acquisition of the 50 acres Stewart property. The city will also purchase a conservation easement for up to 19 acres of the High Hill sub area to maintain this land in permanent open space.

OUR COMMITMENT TO THE ENVIRONMENT

Nothing is so precious as the natural resources that support and enhance our lives. Living and growing in a picturesque environment is both a privilege and a responsibility. For more than 40 years, Cherokee Park Inc. (CPI) has shown its commitment to improving the quality of life for north side residents.

Cherokee Park Inc. remains committed to creating desirable living spaces among the beauty of nature, while respecting our natural resources and protecting our environment. CPI's proposed development in the Cherokee Park community demonstrates our continued commitment to respecting and preserving our environment and natural resources.



Q: How do planned open spaces fit Cherokee Park Inc.'s environmental ethic?

A: Cherokee Park Inc. will maintain current open spaces and create additional open spaces in the following ways:

- Reduced development in the Fifth Addition will add 24 acres to the city's Cherokee Conservation Park; CPI is committed to be an active participant in the city's wetland management plan for Cherokee Marsh;
- The city will acquire 234 acres of the Cherokee Marsh and uplands on the High Hill;
- Whitetail Ridge Park will nearly double in size with the addition of more than seven acres of park area;
- CPI will maintain the hickory woods south of Cherokee Marsh in more than three acres of open space; and
- CPI is dedicating the 50-acre "Stewart property" north of Wheeler Road and west of Comanche Way to the city, which is intended for stormwater quality improvement projects to benefit the area residents.

Q: Is the proposed development sensitive to the Cherokee Marsh environment?

A: The maintenance and future of the Cherokee Marsh environment has been a centerpiece of the development and planning process. Cherokee Park Inc. is undertaking numerous steps to protect this natural resource, including:

- CPI will continue to work with the city through its wetland management plan to protect Cherokee Marsh, the largest remaining wetland in Dane County;
- CPI has retained water resources consultants that will develop a water resources management plan that maintains the hydrologic balance that supports Cherokee Marsh and the Yahara River system. The project will be developed based on the understanding of the relationship between surface water and groundwater;
- Measures to enhance the water quality of Cherokee Lake in the Yahara River including infiltration and sediment removal will be employed as part of the water resources management plan;
- Ground water recharge will be maintained using rain gardens and bio filtration areas;
- The CPI development is planned to exceed buffer standards; and
- Covenants will be developed that will help operate, manage and maintain the environmental features of the Cherokee Park community.

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OUR COMMITMENT TO THE ENVIRONMENT

Q: How does the proposed development fit into Cherokee Park Inc.'s legacy of environmental conservation?

A: Cherokee Park Inc.'s legacy of environmental conservation is evident in the proposed development. CPI will continue to protect Cherokee Marsh and work with agencies to manage existing marshlands while identifying measures to enhance the water quality of Cherokee Lake. This comprehensive plan of resource management includes the following features:

- CPI has established a thoughtful, long-term, phased development plan that avoids rapid growth and allows for careful reclamation and adaptive reuse of land;
- More than 800 trees have been planted during previous phases of development to enhance the beauty and health of our neighborhoods;
- Stormwater management facilities have used advanced filtration systems;
- CPI has maintained more than 500 acres of green space while dedicating nearly 50 percent of the total Cherokee Park campus to green space; and
- Existing woodlands that exist within the development area have been expertly managed.

Q: What is Cherokee Park Inc. doing to maintain existing green space?

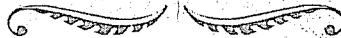
A: Cherokee Park Inc. has mapped wetland boundaries within the development area according to state and federal standards. In addition, CPI has planted more than 800 trees, implemented extensive landscaping plans and continues to manage forests that exist within the development area, including Hickory Woods and Hornug Woods.

Q: What will be the impact of this phase of development on wetlands? On the Whitetail Ridge Park? On the Yahara River?

A: Water resources scientists and engineers have developed a state-of-the-art water management system that will protect the wetlands, marshes and waterways located in the Cherokee Park community.

OUR COMMITMENT TO THE COMMUNITY

For most everyone, a community is more than streets, homes and open spaces. It is what helps define our quality of life. Here in Dane County we have an amazing quality of life. Cherokee Park Inc. (CPI) is honored to be part of this community and to have played a small role in creating the high quality of life and preserving the integrity of our natural resources that residents here enjoy everyday. For more than four decades, CPI has demonstrated a respect for our community and has invested in efforts to improve that quality of life for Cherokee Park residents as well as other Madison-area residents who have discovered this north side treasure.



Q: What are Cherokee Park Inc.'s plans to increase recreational opportunities for residents?

A: Cherokee Park Inc. will expand residents' recreational opportunities by adding an extensive walking path system through Cherokee Park, expanding existing public parks and improving the bike and pedestrian paths along Sherman Avenue. These plans include an additional 1.6 miles of off street bike and pedestrian paths as well as 2.6 miles of additional on street bikeways to the existing system. CPI will also create a connector system to the nature conservancy and create greater access to Cherokee Marsh, a major ecological resource to the region.

Q: What is Cherokee Park Inc. doing to reduce massing and control congestion?

A: Concentrating higher densities in a smaller area will result in more traffic on local streets such as Hollow Ridge Road in the Whitetail Ridge neighborhood. The Special Area Plan recommendation provides for more opportunities to distribute traffic to arterial and collector streets and will have less impact on local residential streets. CPI plans manage the traffic flow at below capacity levels through improvements to existing roadways and intersections and maintenance of the existing internal street system. Traffic flow will be managed by eliminating access to Sherman Avenue from Hornung Woods and eliminating street access to Comanche Way. As a result of ongoing communication with residents and the city and plan adjustments, the number of vehicle trips through Cherokee Park after the next development phase will be reduced by 35 percent from the original submittal.

Q: What are Cherokee Park Inc.'s plans to increase the amount of green space in the Cherokee Park neighborhood?

A: Cherokee Park Inc. is preserving and expanding park lands and recreation areas, giving residents the opportunity to get close to nature within their own community. CPI is also creating easier access to the Cherokee Park trail systems. CPI is committed to creating and maintaining green space with plans that include:

- Adding nearly 25 acres to the city's Cherokee Conservation Park through the reduction of the Fifth Addition;
- City acquisition of 225 acres of the Cherokee Marsh and uplands on the High Hill. The City is developing a wetland management plan in which CPI will be an active member;
- Increasing the size of Whitetail Ridge Park with the addition of more than seven acres of park area; and
- Maintaining the hickory woods south of Cherokee Marsh in more than three acres of open space.

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13 Cherokee Circle #101
Madison, WI 53704

CHEROKEE PARK
INCORPORATED

OUR COMMITMENT TO THE COMMUNITY

Q: Why does the Cherokee Park Inc. plan for the Hornung/Range sub area make more sense than concentrating units in a smaller area south of Wheeler Road?

A: By our analysis, locating approximately 600 units on 25 net acres south of Wheeler Road will result in the following impacts:

- Net development densities up to 33 Dwelling Units per Acre (DU/AC) will be required which compares to the 8.5 DU/AC recommended in the Special Area Plan. These urban densities are inconsistent with the adopted Comprehensive Plan and incompatible with the surrounding lower density neighborhoods.
- Higher densities will require tall, multi-family buildings up to six stories in height with up to two levels of enclosed parking. This development pattern will not achieve the diversity of housing types envisioned by CPI and the city and will be a stark contrast to the scale and character of the surrounding neighborhood.

ADDENDUM

Partial listing of meetings and other communications Cherokee Park Inc. has had with neighborhood groups and city staff regarding the Cherokee Park development project.

Neighborhood:

- December 14, 2005
- February 28, 2006
- April 25, 2006

Plan Commission:

- September 19, 2005
- September 22, 2005
- June 27, 2006
- September 18, 2006
- October 25, 2006
- December 4, 2006
- December 18, 2006
- January 8, 2007

Whitetail Ridge Neighborhood Association:

- February 22, 2006
- December 30, 2006

Friends of Cherokee Marsh:

- June 20, 2006 – Property Walk
- November 9, 2006
- December 2, 2006
- November and December 2006 – various phone calls between Friends of Cherokee Marsh and Water Resource Engineers at Montgomery and Associates: Resource Solutions.

Parks Commission:

- December 13, 2006

Long Range Transportation and Parking Commission:

- December 21, 2006

More than 26 meetings with city staff, Wisconsin Department of Natural Resources and Town of Burke between November 2004 to the present.