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Plan Commission Meeting, June 10, 2024, from 02:56:00 to 05:27:43

Common Council Meeting, June 18, 2024, from 01:39:00 to 03:56 and from 05:51 to 06:59:16

We certify that these transcripts are verbatim and accurate to the best of our abilities.


Gwendolyn Y. McCutcheon
Founder and CEO

October 30, 2024

City Attorney's Office

Common Council Meeting, June 18, 2024

mmc240618_1

1 **Public Comment and Alder Questions, 1:39:00-3:56:00**

2
3 [01:39:00]

4 **MAYOR RHODES-CONWAY:** Thank you. Those are the only folks wishing to speak
5 on item nine. Are there questions for them or for any of the registrants registered is
6 available? Seeing none, then we'll move on to item 13. Item 13 is a substitute, creating
7 sections of the Madison General Ordinances to change the zoning at 6610 to 6706 Old
8 Sauk Road. On item 13, our first registrant is Rebecca Green of District 13, to be
9 followed by Paul Umbeck, to be followed by Mary Umbeck. Rebecca? Either side.

10
11 **GREEN:** Hello. I'm a District 13 resident and friend of Old Sauk. For over 44 years,
12 my parents have been homeowners on Old Sauk across the site of Stone House's
13 proposal. I am adamant opposed to this massive-sized development which violates the
14 city's very own approval standards for conditional use.

15 The majority of District 19 residents strongly oppose the proposal. They filed two
16 petitions with hundreds of signatures. Ninety-three percent registered in opposition of
17 the Planning Commission. Note that residents are in favor of smaller-density, multiple-
18 owner properties that accommodate the missing middle and fit into the character of this
19 residential suburban neighborhood.

20 Please listen to residents and oppose agenda items 13 and 49, or at the very
21 least, delay action until further study of the following issues. The proposed rezoning
22 and even further upsizing with conditional use are not consistent with the size of
23 surrounding houses.

24 The proposal is a massive, cookie-cutter rental apartment in the middle of family-
25 oriented residences. The complex is obnoxiously oversized at approximately 425 feet
26 long. It is the single mass that is notably longer than a football field. The Planning
27 Commission's own staff report acknowledges that the scale and mass of the proposed
28 building will be unlike any other building in the area.

29 The proposal is not seamlessly integrated with surrounding properties nor
30 sustains aesthetic desirability compatible with the area. This is required in both the
31 comprehensive plan and Madison General Ordinances. Major storm water issues are
32 created. This site is in a flood-prone area, per the city flood risk map, worsening with
33 climate change. The site is covered in permeable soil currently, which would be
34 replaced with impervious surfaces. Stone House does not have an approved storm
35 water plan.

36 Major traffic and safety issues would be created in what is a suburban residential
37 area with no amenities close by. Old Sauk is a two-lane road. It is not close to the

38 BRT, not in the regional corridor and growth priority area, and not in the preferred
39 transit-oriented development area. The hundreds of apartment residents, visitors, and
40 delivery services would endanger traffic, bicycle, and pedestrian safety. The proposed
41 conditional use for outdoor recreational facilities would further negatively affect the
42 viability(?) adding to storm water issues and creating a nuisance to neighbors. It is in
43 blatant contrast to the currently wooded, quiet, and peaceful suburban residential area.
44

45 [01:42:32]

46 **MAYOR RHODES-CONWAY:** You have about 30 seconds.

47

48 **GREEN:** Thank you. Please listen to District 19 residents and oppose this plan. Or at
49 the very least, pass a motion to further study these massive, major issues. Thank you.
50

51 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Paul Umbeck of
52 District 19, to be followed by Mary Umbeck of District 19.
53

54 **UMBECK:** Good evening. Thank you, Madam Mayor, and thank you to Members of
55 the Council. I will be speaking on behalf of both Paul and myself.
56

57 **MAYOR RHODES-CONWAY:** Thank you.
58

59 **UMBECK:** In the hope of brevity.
60

61 **MAYOR RHODES-CONWAY:** Appreciated.
62

63 **UMBECK:** Again, I would like to say that I live at 25 East Spyglass Court. This address
64 is the entire west boundary of the development property that is being under
65 consideration. We, as neighbors, understand the need for additional housing in the city
66 of Madison. We understand this property will be developed, and we understand that it
67 will be multifamily housing.

68 What I'm here tonight to speak to is the item referenced in the previous speaker's
69 comment, and that is the storm water issues associated with this property. There have
70 been credible concerns raised by our engineer that we hired because of our concerns
71 about our neighborhood, our neighbors hired because of the concerns around previous
72 flooding in this area.

73 We are asking that you please defer approval tonight to allow for additional
74 review around the storm water plan and that we, and ask that Stone House please
75 provide a complete storm water plan so that we can assess the entirety of what is being
76 proposed and determine whether or not it will in fact work for the area.

77 As I said, we've had credible engineers who have raised concerns around the
78 information that is currently available regarding this plan, and we were asking if we
79 could please have time to bring together Wyser, the engineer that is employed by Stone
80 House, the city engineers, the engineer that we have engaged to assist us in
81 understanding the water issues, along with a faculty member, Professor Norman, how
82 has volunteered his expertise around soil science and the water issues that may be
83 attached to the property.

84 I understand that it is not the normal process to ask for a full storm water plan
85 review at this point in reviewing of a development. But I don't believe that this is
86 actually a normal situation. This area has known flooding issues. We have had
87 previous storm water problems in the neighborhood. We are taking an area that is
88 completely permeable with extensive tree and vegetative life . . .

89
90 [01:45:28]

91 **MAYOR RHODES-CONWAY:** You have about 30 seconds.

92
93 **UMBECK:** . . . paving it over. So I'm asking you to please consider deferring so that
94 we can bring these talented individuals together and get a workable plan prior to
95 building a building when options may be limited, and we will have a lot less opportunity
96 to deal with any problems that come up. I thank you for your consideration. Good
97 evening.

98
99 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Darin Wisninski(?) of
100 District 10, to be followed by Ben Noffke, to be followed by Diane Sorenson. Darin?

101
102 **WISNINSKI:** Good evening, Mayor Rhodes-Conway, Council President Figueroa Cole,
103 and Alders. Thank you for your opportunity to speak tonight in support of agenda item
104 83477. As you are must have heard continually, Madison is in housing crisis. As the
105 recent Dane County Regional Housing Strategy demonstrates, we're joined by others in
106 our county in this predicament. And having recently attended the Congress [inaudible]
107 number 32 in Cincinnati, so is the rest of the country.

108 My family moved to the area in 2014 so that I could pursue a job opportunity.
109 Then we chose to live in Madison in 2016. We grew weary of the commute in for work,
110 we sought more appropriate schools for our children's interests, and we wanted to be
111 closer to a city in which we spent so much time. But an underlying factor forcing our
112 move was an announced dramatic increase in our rent that the landlord sought when
113 we should resign our lease. Yes, even eight years ago, this was a huge problem.

114 We're lucky in that we found our place through friends who were planning to
115 move out of state. Not knowing if their move would be long term, they offered a chance
116 to rent first. And then when their path became clear, we struck up a deal to purchase.
117 Our neighborhood on the west side offers us much of what we love, as do most of
118 Madison's neighborhoods offer their residents.

119 The city also tops many lists as the best place to live, so it's not surprise that
120 others want to live here too. But we have a conundrum in this community and many
121 others. We have many people who wish to live here, and I expect that will only
122 increase. But because of housing and financial policy at the local state and federal level
123 that began 90 years ago, after the Great Depression, we do not have the needed
124 housing today.

125 The Congress I referenced earlier was preceded by the Strong Towns National
126 Gathering, a meetup of people from all walks of life who are working to make their
127 communities financial strong and resilient from the bottom up. The founder, Charles
128 Marohn, Jr., shared in his remarks on escaping the housing trap that we currently find

129 ourselves in, that no neighborhood should be exempt from change, nor no
130 neighborhood should experience radical change.

131 [01:48:10]

132 While I'm familiar with the stretch of Old Sauk, I can't say that I ever paid close
133 attention while passing through. So this morning, I embarked on a field trip to see if the
134 proposal would embody the above mantra or work against it.

135 What I saw while traveling out Old Sauk were apartment complexes interspersed
136 between low-density, multi-unit housing. The proposal would hardly impart radical
137 change into the neighborhood with its 138 units of needed housing, where apartments
138 and multi-unit buildings already exist, 138 units along the Metro Route R and bicycle
139 infrastructure, which provides transportation options for those who do not drive a car,
140 and let's not forget how those transportation options reduce our greenhouse gas
141 emissions and particulate pollution, which I've come to learn is so important to
142 Madisonians.

143

144 **MAYOR RHODES-CONWAY:** You have about 20 seconds left.

145

146 **WISNINSKI:** As a member of two pro-community groups, I encourage you that you
147 hope to draw the same conclusions that I have. Thank you, all, for your time this
148 evening.

149

150 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Ben Noffke of District
151 11, to be followed by Diane Sorenson, to be followed by Gregory Keller. Ben?

152

153 **NOFFKE:** Hi, thanks for having me, and thanks for listening. So I'm coming out in
154 support of the project. We are in a housing crisis, and we have a budget crisis as well.
155 And I think projects like this, that are infield(?) development, help address both of these
156 in providing supply to meet the enormous demand that the city is facing because it's a
157 great place, and people want to live here. And I want to see more people too. I think
158 they're nice.

159 And then this would add more property tax revenue in an area where we wouldn't
160 need to significantly extend services, so it's just going to be a better balancing against
161 our operating budget. And so that's why I support it and other projects like this. Thanks
162 for your time.

163

164 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Diane Sorenson of
165 District 19, to be followed by Gregory Keller, to be followed by Karen Bartlett. Diane?

166

167 **SORENSEN:** Thank you. I oppose this rezoning. I live at 606 San Juan Trail. I'm a
168 house away from Old Sauk Road. And, obviously, I've lived there for 20-some years,
169 and I'm very familiar with the area.

170 But tonight I don't want to talk about my side of Old Sauk Road, which is the
171 south side. I want to talk a little bit about the north side of Old Sauk Road. Whenever I
172 walk in the neighborhood on the north side of this develop, proposed development, I'm
173 struck with the beauty, the peace, the natural setting. Clearly, the people who settled in
174 this area value nature, privacy, and peace.

175 Ironically, these are the very people who will be the most harmed if the Stone
176 House proposal goes through, if the rezoning goes through. If this complex is built,
177 these families will fear flooding every time there's a good rainfall. There are a lot of
178 reasons why flooding is a problem. It begins with the fact that there's an inadequate city
179 sewer system serving this area.

180 [01:51:25]

181 The families have lived with that problem for years now. However, if you add a
182 massive apartment complex on the Old Sauk Road, that will compound the problems
183 they're facing. Stone House is covering pervious land with impervious land. It's then
184 proposing an infiltration system that is untested and described even by the more
185 favorable engineering as ambitious. Dr. John Norman said, it's not a question of
186 whether this system will fail, it's a question of when. And he predicts sooner rather than
187 later.

188 Finally, neither the City nor Stone House has a plan for dealing with the runoff
189 that's created by this massive development. If this rezoning is approved, there will be a
190 perfect storm, watershed and flood plan problems in the past, city sewer not adequate
191 to meet the needs of the neighborhood . . .

192

193 **MAYOR RHODES-CONWAY:** About 30 seconds.

194

195 **SORENSEN:** . . . and a new infiltration system in massive development increasing,
196 worsening these problems. The zoning code imposes a duty on the City to protect and
197 stabilize neighborhoods for the good of the residents and for the good of the city. If this
198 rezoning is granted, instead of offering stability and protection, it will wreak havoc and
199 cause irrevocable harm.

200

201 **MAYOR RHODES-CONWAY:** That's your time, thank you.

202

203 **SORENSEN:** We ask the City to reject this and/or to defer this project until . . .

204

205 **MAYOR RHODES-CONWAY:** Thank you. That's your time.

206

207 **SORENSEN:** . . . the neighborhood is . . .

208

209 **MAYOR RHODES-CONWAY:** Our next registrant is Gregory Keller of District 19, to be
210 followed by Karen Bartlett, to be followed by Ruth Nair. Gregory? Do we have Gregory
211 online?

212

213 **WOMAN:** There is no one by that name in the Zoom.

214

215 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Karen Bartlett of
216 Mount Horeb, Wisconsin, to be followed by Ruth Nair, to be followed by Lynn Green.
217 Karen? Karen? No? Do we have Karen online?

218

219 [01:54:14]

220 **WOMAN:** There is no one by that name.

221
222 **MAYOR RHODES-CONWAY:** Nope, no, she's at the top.
223
224 **WOMAN:** Oh, my, I apologize.
225
226 **BARTLETT:** Hello. Can everyone hear me?
227
228 **MAYOR RHODES-CONWAY:** Yes.
229
230 **BARTLETT:** Thanks. Yes, as you said, I live in Mount Horeb, Wisconsin. I commute
231 to American Family Insurance on the east side. It's a really long commute. However,
232 the reason I live in Mount Horeb, one of the main ones, is because of housing
233 affordability in Madison. I, my husband and I purchased our house in 2020 because we
234 couldn't really find any housing that suited our needs and was affordable in Madison.
235 So, yeah, I'd say it's safe to say we're in a housing crisis.
236 At this point, if my house were to go on the market, I would not be able to make
237 payments on it in Mount Horeb. The median housing prices in Madison are currently
238 \$425,000. My household income is about \$110,000 per year, which is about \$35,000
239 above median, and I couldn't afford to make payments on the median-priced house in
240 Madison. We are in housing crisis. We need housing as soon as possible in as many
241 varieties as possible. And so I am in support of this initiative, and I hope that a lot of
242 people can find a good place to live because of it. Thank you.
243
244 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Ruth Nair of District
245 19, to be followed by Lynn Green, to be followed by Maxim Mitkionski(?). Ruth? Do we
246 have Ruth online?
247
248 **WOMAN:** There is nobody in the Zoom by that name.
249
250 **MAYOR RHODES-CONWAY:** All right, thank you. Then next is Lynn Green of District
251 19, to be followed by Maxim Mitkionski, to be followed by Dan Pensinger. Lynn?
252
253 **GREEN:** Hello, everybody. I am Lynn Green. I've been a resident of Madison for 60
254 years, a homeowner on Old Sauk for 44. During my almost 50 years with Dane County
255 Department of Human Services, I worked on many housing and homeless issues with
256 the City. I continue to work on those issues with the City. I know the challenges, the
257 needs, the importance of resident input, and the appropriate siting of housing.
258 [01:57:00]
259 I am in strong opposition to agenda item 13 and 49 regarding the Stone House
260 proposal on Old Sauk. First, there are misunderstandings about the position of the
261 people who are opposing this proposal. We are not against development and
262 appropriate rezoning. Unfortunately, our no rezoning signs are misleading. That is not
263 where we're at.
264 In our neighborhood, we support small apartment complexes, condo
265 developments, affordable homeownership, and duplexes. We are opposed to this
266 rezoning and even further upsizing with conditional use that allows for the construction

267 of a massive, high-end rental property that, quote, represents a significantly different
268 building form compared to what currently exists on the subject and surrounding
269 properties. That is a quote from the staff team's report, the city staff team's report.

270 We support development of affordable housing that addresses the missing
271 middle housing gap and is appropriate on this site. As the Planning Commission noted,
272 this is a unique property. Let's do something unique with it instead of building one more
273 generic, high-density, high-end apartment building.

274 If you listen closely to those who are supporting the proposal, you will hear
275 mainly that they support affordable housing. This is not affordable housing, let me
276 emphasize that. Most of the people supporting it support the ideology of high-density
277 housing. I don't disagree with that. But they're not addressing this specific site. It's
278 about location. It's not about opposing housing needs and high density.

279 Lastly, there's been a lack of attention to resident concerns. I have to say, going
280 off script, that I was really jealous to hear about the process that was used to come to
281 the wonderful Essen Haus proposal. That is not at all what we've experienced.

282
283 **MAYOR RHODES-CONWAY:** You have about 30 seconds left.

284
285 **GREEN:** There's been an extraordinary amount of opposition to this, petitions, and
286 nobody is listening. Your agenda at the beginning says, consider who benefits, who is
287 burdened, who does not have a voice at the table? I am telling you, the residents and
288 the other people in the city who oppose this have not had a voice at the table. The
289 developers have had the voice at the table.

290
291 **MAYOR RHODES-CONWAY:** Thank you. That's your time.

292
293 **GREEN:** Thank you for your time.

294
295 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Maxim Mitkionski of
296 District 13, to be followed by Dan Pensinger, to be followed by Nicholas Davies. Maxim,
297 did I get it even close?

298
299 **MITKIONSKI:** Pretty close, Maxim Mitkionski.

300
301 **MAYOR RHODES-CONWAY:** Thank you.

302
303 **MITKIONSKI:** Yeah. So hello, my name is Maxim, and I am in support of this measure.
304 This is because, even as a software engineer at a local, mid-size company, I'm
305 concerned that with the increasing dire housing shortage, I will soon also be priced out
306 of Madison. I don't work for a giant corporation like Epic or Google, but I'm still
307 competing with thousands of new-hires every year who make more straight out of
308 college than even tenured engineers at local companies. I have no idea how even blue-
309 collar families with children or medical expenses can possibly make ends meet with the
310 increasing cost of living. And I suspect the reality is that they can't.

311 [01:00:32]

312 Madison urgently needs more housing. It's impossible to grow a city with only
313 highly paid tech workers or residents who are lucky enough to have bought property 15
314 or 30 years ago. Factory workers, students, bus drivers, and creatives also need a
315 place to live, and they're just as important to making Madison vibrant and functional.

316 With the median home price in our area reaching nearly \$500,000, we
317 desperately need starter homes and rentals that provide community and a path to
318 ownership for our working families. This proposed development is well positioned
319 because it's accessible to downtown Madison where people unwind, shopping districts
320 where people spend money, and industrial areas where Wisconsinites build products
321 that find their way all over the world.

322 Therefore, this rezoning proposal should be adopted because it will support
323 Madison's future. We need more dense development in Madison, and anything lower,
324 such as suburban zoning, would not be in line with the reality of Madison's growth. Any
325 issues related to storm water drainage and flooding are an engineering problem for
326 which solutions do exist. Thank you for your time.

327
328 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Dan Pensinger of
329 District 19, to be followed by Nicholas Davies, to be followed by Ann MacGuidwin.
330 Dan? Do we have Dan online?

331
332 **WOMAN:** There is nobody by that name in the Zoom.

333
334 **MAYOR RHODES-CONWAY:** All right. Then how about Nicholas Davies of District
335 15?

336
337 **WOMAN:** Yes.

338
339 **DAVIES:** Good evening. The Plan Commission made a thorough motion explaining
340 their reasoning behind the recommendation on this item. In regarding the very routine
341 storm water drainage concerns, the applicant has already been held to a much higher
342 standard than applicants typically are at this stage. The mere fact that neighbors have
343 hired a competing hydrologist should indicate the absurd level of privilege at play here.

344 These storm water concerns are a thin veneer on the blatant resentment of
345 renters and a sense of entitlement to land that is yours. If you want to look out your
346 back door and not see anyone or anything, then buy that adjacent land or at least an
347 easement on it.

348 This is will add much-needed housing capacity, and it will allow residents to
349 shorten their commutes by car or bike or bus to workplaces like TruStage or UW
350 Hospital. If this doesn't get built here, it will get built out in the burbs, and then it will be
351 someone else's tax revenue. Neighbors have already had their fun bullying this
352 developer into scaling down their plans. Now it's time to give this applicant the same
353 due process that other applicants have received by default, including others on your
354 agenda tonight. Thank you.

355
356 [02:03:15]

357 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Ann MacGuidwin of
358 District 19, to be followed by Dan Stire(?), to be followed by Michael Green. Ann is on
359 the Zoom.

360
361 **MACGUIDWIN:** Thank you. Decisions made by the Plan Commission are flawed
362 because they didn't give sufficient weight to the fact that the property is extremely water
363 sensitive and prone to flooding. Escalation to medium density is supposed to consider
364 relationship of the proposed buildings to natural features. Only natural features that
365 precluded development so the features could be preserved were considered. The Plan
366 Commission did not consider a natural feature that requires a portion of the property to
367 be devoted to a grassy infiltration basin. That natural feature is soil and its porosity and
368 water storage capacity.

369 Stone House plans to harvest storm water runoff into underground infiltration
370 tanks. The tanks have no bottom, so as the water is collected, it's supposed to move
371 downward in the soil profile. But the soil below the tanks has low porosity, meaning the
372 tanks won't function properly. They'll fill with water, which will then run into outlet pipes
373 that empty into the grassy outdoor basin. To fix this, Stone House proposes to
374 excavate and turn the soil prior to building. They propose that turning process will
375 loosen the soil and, hence, increase porosity.

376 It's important to note that both Stone House and the city engineer agree that it's
377 imperative this fluffing(?) process actually works. Stone House will not meet city
378 standards unless it does. A noted soil scientist wrote a skeptical review of the plan,
379 pointing out that the weight of the tanks and the ground above them will, in essence,
380 squash the fluffed soil, returning it to its original state of low porosity. He details
381 reasons the infiltration basin receiving the excess water is also bound to fail.

382 The bottom line is that the plan is way too novel and way too risky. The facts
383 that, one, Stone House needs an exceptionally aggressive and risky storm water
384 management system, and, two, they must dedicate land to an infiltration basin, is
385 evidence that should have been taken into account for escalation to medium residential
386 density.

387 Conditional use approval is supposed to only be granted if the proposed
388 buildings will not substantially impair the use, value, and enjoyment of other property.
389 Neighbors, who happen to all be at a lower grade than the Stone House property, are
390 worried because there is no tried-and-true, tried-and-tested or true storm water plan
391 that's been endorsed by experts. They already take on water that flows from this
392 property.

393
394 [02:06:11]

395 **MAYOR RHODES-CONWAY:** You have about 30 seconds left.

396
397 **MACGUIDWIN:** They have good reason to believe this development will make it worse,
398 elevating their insurance cost and decreasing the competitiveness of their homes in the
399 housing market.

400 Please understand, our opposition to this project is not a generic complaint
401 against development. This is a targeted fight against this particular plan on this
402 particular site. The water issue is very real, and the buildings . . .

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MAYOR RHODES-CONWAY: That's your time.

MACGUIDWIN: . . . on this property need to be smaller and more spread out.

MAYOR RHODES-CONWAY: Thank you. Our next registrant is Dan Stire of District 19, to be followed by Michael Green, to be followed by Paul Bailey. Dan?

STIRE: Our neighborhood would benefit from development of reasonably sized, affordable apartment buildings on the [inaudible] parcels. For those folks who voice support for the project on the basis of need for affordable housing, I ask you to please check the facts. The project is strictly market rate. There are absolutely zero apartments dedicated to affordability. Furthermore, there are only 6 units of the total of 138 with 3 bedrooms. This is not a family oriented project.

My initial opposition to the Stone House proposal at the virtual meeting of October 24th, was based on the naïve belief that the city's zoning code and underlying policies would protect the neighborhood from the unreasonably dense Stone House proposal. My naivete arose from a steady stream of assurances from the City and housing advocates that, while Mayor Satya Rhodes-MAYOR RHODES-CONWAY: proclaimed that every neighborhood needed to become more dense, the increased density in our neighborhoods would be gentle, incremental, modest.

So you can imagine my surprise when Stone House turned immediately that night to Tim Parks of the City's Planning Division to inform us that a double-asterisked footnote in the comprehensive plan permitted Stone House to build up to 210 units if it so wished. The planner's position in turn set the stage for Stone House to insist that its far less dense proposal was reasonable and that the neighborhood should be pleased. Should we be pleased with a Stone House proposal that is 19 times larger than the nearest large multifamily apartment building located nearby? Does the City expect us to accept that increase in density is gentle, incremental, modest?

Just how far with Mayor Satya and her densifying colleagues on the Council go in a quest to abolish any semblance of reasonable zoning code protection for homeowners? I submit that the proposal is not larger yet, due to the severe storm water problems created by its massive, impervious footprint. Despite its enthusiastic support of the project, the City won't step up to solve the problem.

[02:09:30]

MAYOR RHODES-CONWAY: You have about 30 seconds left.

STIRE: The Stone House should not be permitted to dump the problem on neighbors who already have sump pumps in their basements and have been subjected to many years of floods. There's compelling engineering and soil science expertise in the record provided by, in your mission to densify the city, please don't let Stone House move forward on the wish and hope that it's untested storm water system will work. Require it to demonstrate, beyond doubt, that the system works.

MAYOR RHODES-CONWAY: Thank you. That's your time.

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STIRE: I've pleaded from the get-go for reason and common sense . . .

MAYOR RHODES-CONWAY: Thank you. That's your time.

STIRE: . . . let's finally see some.

MAYOR RHODES-CONWAY: Our next registrant is Michael Green of District 19, to be followed by Matt Gollick(?), to be followed by Paul Bailey. Michael?

GREEN: These remarks oppose the proposed development of the Pierstoff Century Farm. Last week, the Plan Commission acted on a staff report and proposed demolition, conditional use rezoning, and CSM. The last two appear as I am searching in 49 on tonight's agenda.

Last Friday, I submitted a critique of that meeting's process, parts of which are addressed here. We opposed three aspects in particular. First, storm water concerns from vastly increased impervious land coverage and likely climate change. Second, overbearing massing. Third, proliferation of rental-only apartments that rule out owner-occupied, missing middle housing.

Some specifics of this process, presentation of storm water issues, was incomplete at best. As to massing, the judgment criteria include, findings must be based on substantial evidence. Applicable conditional use, standard number eight, reads, Plan Commission shall find that the project creates an environment of sustained aesthetic desirability, compatible with the existing or intended character of the area. Conditional use shall consider the recommendations in the comprehensive plan, which reads, newly developing LMR areas should be seamlessly integrated with surrounding development.

The Plan Commission's sustained development citing significant setbacks, and despite the proposed building being notably larger than those in the surrounding area, staff feels that the building, and it went on.

Notably, no mention was made of standard number eight. Developers comparable was over a little, a little more than a mile away instead of the adjacent Settlers Woods Apartments. I apologize for the size of my printer, but this is the only way to try to describe it. On your left is the Settlers Woods Apartments. On the right is the Stone House development. The top panel compares relative heights. The lower panel compares approximate lengths. The frontal length of the Settlers Woods is 100 feet. That of the proposal is 400 feet. Curb setback is 84 feet versus the proposal's 35 feet. Height is less for the much larger setback. And apparent height is significantly less, by a factor of two to three, than that of the proposal.

[02:12:50]

MAYOR RHODES-CONWAY: You have about 30 seconds left.

GREEN: The development street view is nowhere close to words like aesthetics, seamless, or integrated. As to zoning and land use, there are the select conditions. Despite all conditions not being met, including three of greater significance. The

495 findings were, first, the arterial status and bus availability are the most significant factors
496 as to why the proposed development may be approved. Second . . .

497
498 **MAYOR RHODES-CONWAY:** Thank you. That's your time. Our next registrant is
499 Matt Gollick of District 6, to be followed by Paul Bailey, to be followed by James Baccus.
500 Matt?

501
502 **GOLLICK:** Yeah. Hi, thanks again for listening to me and for listening to all of us. It
503 looks like you have a long night ahead of you. I wanted to support this project as well. I
504 think it's the type of project that we need pretty much everywhere in the city. We're in
505 the midst of three crises, or crises, whatever the plural of crisis is. We're in three of
506 them.

507 We have a housing crisis. We don't have enough. We need more. Y'all know
508 that. We're in a budget crisis. There's currently a large deficit, and you are considering
509 a referendum to increase the levy limit. State law allows increasing that levy limit
510 based, as a function of new construction with no need for a vote. This project wouldn't
511 help this year. It won't solve the problem, but it's another thing that will help in the
512 future.

513 We're also in a climate crisis. It was really hot today. The past 13 months have
514 been the hottest 13 on record. And our transportation system, that's primarily built
515 around cars, is a major contributor to that. So putting this project along the bus routes
516 is a great way to help with that.

517 The neighborhood isn't currently walkable, with lots of destinations around it.
518 And it won't be if we keep doing the same thing we've been doing for the past 75 years,
519 devoting huge sections of the city to single-family homes. So we could build this. We
520 could allow corner stores and businesses to exist near where people live. And one day,
521 maybe this neighborhood could be a place where you could walk around and go to
522 things. Overall, I think it's a good project, and I hope that you don't let fear of change
523 stop you from addressing these crises. Thank you.

524
525 [02:15:08]

526 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Paul Bailey of District
527 11, to be followed by James Baccus, to be followed by Rachel Robillard. Paul?

528
529 **BAILEY:** Thank you. I live in Hill Farms, and I want to share why I support this. First,
530 the cost of housing is a huge problem in Madison, and I want the cost to come down,
531 selfishly. I want to live in a city where my children can purchase a house when they
532 grow up. Increasing housing supply is how we keep prices down.

533 Second, density is the highest-impact thing we can do to decrease the demand
534 for greenhouse gas emissions by limiting the amount of energy needed to keep
535 Madisonians going.

536 Increasing density is a tool that is available to the city tonight. Climate change is
537 upon us, housing cost increases are upon us, but we can limit the severity of both.
538 Upzoning is a powerful tool that is available to you now. Please use it.

539

540 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is James Baccus of
541 District 19, to be followed by Rachel Robillard, to be followed by Travis Kramer(?).
542 James? Do we have James on Zoom?

543
544 **BACCUS:** Yes, can you hear me?

545
546 **MAYOR RHODES-CONWAY:** Yes.

547
548 **BACCUS:** Okay, thank you. My name is Jim Baccus, and I live at 305 Yosemite Trail
549 just a few blocks from where this development is planned to happen. My wife, Jan, and
550 I bought this house in 2016 and have since rebuilt this into a beautiful home. We love
551 our home, our neighbors, and our neighborhood. And we understand that there is a
552 need to develop additional housing in the area, and are in favor of development at the
553 Old Sauk Pierstoff property into more housing, but not a development like this. This is
554 much too large for this location.

555 There is an opportunity to make a wonderful, new building here, but this isn't it.
556 When evaluating a development at this location, at Old Sauk, we need to keep in mind
557 the specifics of this location. As many people have said, there are no restaurants, retail
558 businesses to walk to, and I agree with the previous person, if you don't develop it, it will
559 never be built into something that people can walk to. But let's keep it reasonable.

560 Zoning should provide some security for homeowners when you buy a house.
561 Usually, zoning for higher-density housing is located near the major intersections that
562 gradually reduce the farther you get away from that major intersection. Zoning should
563 provide security for homeowners, that a massively different property would not be built
564 right next to the one that you purchased.

565 It should protect the city from safety hazards. The Stone House Development
566 staff has continually prepared this to the proposal, this proposal to the Yorktown
567 Commons Building near the intersection of Yellowstone and Mineral Point. Yorktown
568 Commons has seven access driveways onto Yellowstone, Offshore, and Nautilus Drive.
569 There's one driveway from the Stone House property onto Old Sauk Road with 165
570 parking spots going in and out of that driveway. I have to turn onto Old Sauk regularly.
571 It's challenging during busy times currently.

572 [02:18:23]

573 With 165 parking spots and 138 units, there will have to be some significant
574 amount of parking on the street. This happened recently when something was going on
575 with the Pierstoff property. Perhaps it was an auction, I'm not sure, but there were over
576 50 vehicles parked along Old Sauk and San Juan Trail. I consider myself a fairly
577 aggressive driver and am used to driving in heavy traffic but was barely able to turn onto
578 Old Sauk. I was in severe risk of an accident while making this turn, due to all the
579 additional parking. Stone House has not addressed the parking consideration and
580 address the safety in this area.

581 My expectation is that after this is built, this will happen on a daily basis.
582 Additionally, the west area plan has stated that the method for dealing with increased
583 traffic is to route this traffic through our neighborhood. I don't understand how a traffic
584 plan should be routed through neighborhoods instead of keeping it on major

585 thoroughfares. I'm sorry, I'm not a traffic planner, but I am an engineer, and this one I
586 don't get. Thank you for your time.

587
588 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Rachel Robillard, to
589 be followed by Travis Kramer, to be followed by José Madera. Rachel?

590
591 **ROBILLARD:** Hi, thank you. I'm speaking tonight on behalf of 350 Wisconsin, an
592 organization whose primary focus is to make progressive change for environmental
593 justice and reduce emissions. Generally, we support density initiatives, and we support
594 this project. I'm also speaking as somebody who has owned a home in a nearby Oak
595 Ridge neighborhood for nearly 15 years.

596 I'd like to speak to this as an environmental issue, as I'm opposed to this, in part,
597 due to environmental concerns. And I admit that it can feel counterintuitive to be
598 promoting development on a decently wooded, mostly natural lot. Trees, of course, are
599 our allies, drawing down and sequestering carbon, and provide habitat for many
600 species. But lower-density suburban development has been shown to be responsible
601 for significantly more emissions. While these places may seem greener, with larger
602 lawns and more space, they are more inefficient use of these spaces, are less efficient
603 buildings, and more embodied carbon, and by virtue of being spaced out, rely on cars.

604 Housing demand in Madison is not going to slow. Housing not built in the city is
605 resulting in it being built on the outskirts and suburbs, which contributes to Dane County
606 as a whole as outpacing Madison. It would bring development to other natural and
607 agricultural lands while ensuring more car traffic flows into the city and likely down Old
608 Sauk, all while not addressing the unaffordable nature of housing in our city and puts
609 additional demands on, or completely pushes out, our young people, workforce, and
610 those with fixed income. We need to find density where we can to put folks close to
611 transportation and support walkable neighborhoods.

612 [02:21:17]

613 I believe there are others here who would agree but, sadly, just don't want it in
614 our neighborhood. The idea that this three-story apartment building, which has been
615 determined to be nearly the same height as other nearby buildings is too much for a
616 place a mere 15-minute drive to the center of downtown, is on a bus route, a route I
617 take on occasion, and that does have amenities that are bikeable and walkable, the
618 Nitty Gritty is a five-minute bike ride away, is wrong.

619 I will also mention the issue of storm water, which is a very real concern. This
620 project provides an opportunity to improve the storm water situation, as opposed to its
621 current, mainly unimproved state. I believe the developer and City have been taking
622 storm water concerns seriously. By working together and making sure that the plan is
623 solid before final signoff, it may end up to be better because the current situation is not
624 great.

625 I don't believe we've been bold enough in rezoning to accommodate the many
626 housing and environmental issues Madison and our region are facing. We are not
627 going fast enough. It's been mentioned to wait for the West Area Plan, but that's
628 already being pressured to not include more density. I understand many neighbors
629 oppose this development, but we all must do our part to meet the challenges of our city
630 and our climate crisis. And this is one way the Old Sauk area can step up. Blocking

631 density is going to result in more emissions. I welcome this opportunity for more density
632 and to provide more housing in a more efficient way. Thank you.

633
634 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Travis Kramer of
635 District 6, to be followed by José Madera, to be followed by Kim Santiago. Travis?
636

637 **KRAMER:** Hi, I'm speaking in support of this project. I, our city has a housing crisis.
638 We need more housing. And we need every neighborhood to contribute to our housing.
639 One thing people don't realize is a lot of these neighborhoods have actually declined in
640 density over time. I looked at the Census data for the block group north and south of
641 Old Sauk Road where this is located. And from 2000 to 2020, the population has
642 declined by 177 people. And I couldn't find data going back farther. However, if we
643 look at other places in the area, like Monona, Wisconsin, we saw population peaked in
644 1970 at 10,400 and declined to 7,500 in 2010.

645 The only way Monona has been able to reverse the declines in population is by
646 adding more units. We just have fewer people living in each unit, and we need more
647 units in order to get the population back to levels that the neighborhoods previously
648 handled just fine.

649 [02:24:00]

650 I think if we get a lot of these neighborhoods back up to population levels that are
651 similar to what they've already been at, we can address the housing needs that we have
652 in our city. I'd also like to point out that this project is located on a bus route, and it's not
653 divided off from the rest of the city by a highway. So it is much more bikeable and
654 walkable than potential developments that would be further out from the city.

655 Thirdly, I know a lot of people want smaller development projects. However,
656 we're not going to get that through this process. It is too much effort for a developer to
657 go through and ask for permission to rezone for a smaller project. We need to
658 proactively rezone if we want those projects. But since we haven't done that yet, and
659 we don't have a pipeline of developments that would address our housing needs, we
660 need to approve this and address the housing crisis in a way that's actually tangible in
661 front of us. Thank you.

662
663 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is José Madera of
664 District 19, to be followed by Kim Santiago, to be followed by Helen Bradbury. José?
665

666 **MADERA:** Muchas gracias, buenas noches. I'm a resident of Madison since 1989. I
667 have served in the Madison [inaudible]. I did it for nine years. I'm a performer, an
668 enthusiast for decades. I have participated in city communities [inaudible]. I'm an
669 educator and advisor to hundreds of Madison students. I have developed great
670 relationships and friendships with past and present members of our distinguished
671 Common Council, the Mayor included, Verveer, Rummel, Wehelie, Figueroa-Cole,
672 Knox, Currie, who I advised as an undergraduate at UW-Madison. So I have a long
673 history with the City Council since I have started myself in 1989.

674 I'm a supporter of many, been a supporter of many city-wide initiatives, improving
675 the lives of many by making Madison a much more inclusive community. And we

676 [inaudible] Make Music Madison. I was in the city Arts Commission when that
677 happened, serve with other [inaudible].

678 However, and this is a big but, I am here to vehemently oppose the proposed
679 development by Stone House Development filed for the Peer Store parcels, 100-unit
680 apartment building. My wife, Kim Santiago, and I have been residents of 6901 Old
681 Sauk Court for over 20 years. The addition of this out-of-scale(?), monstrous apartment
682 building will directly and negatively affect not just our quality of life but that of the entire
683 neighborhood, east to west, in and around Old Sauk Road.

684 [02:27:02]

685 Heavier traffic, nobody has been addressing the traffic issue here, higher-vehicle
686 density, increased use of neighborhood street parking. Where are people going to park
687 once they run out of parking spots? Noise pollution, light pollution, irreparable effect on
688 wildlife, higher runoff due to remodel(?) streets(?) and vegetation, causing more
689 flooding events, and increased danger to community area bikers. Those are some of
690 the unwanted, critical, and negative aspects of this potential development.

691 The Plan Commission report states that they found this amendment is consistent
692 with and furthers or does not contradict objectives and the goals and policies contained
693 in the comprehensive plan. The comprehensive plan, as a matter of fact, has . . .

694

695 **MAYOR RHODES-CONWAY:** You have about 20 seconds left.

696

697 **MADERA:** . . . the many public comments making opposition to the approval of
698 [inaudible] changes were not [inaudible] by the Plan Commission. The Plan
699 Commission's main concern was the need to create more affordable housing in
700 Madison. We are not opposed to that. But it has to be mindful. We oppose this
701 proposal. Thank you very much.

702

703 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Kim Santiago of
704 District 19, to be followed by Helen Bradbury, to be followed by Doug Hursh. Kim?

705

706 **SANTIAGO:** Good evening, everyone. As, that was my husband, José. So as he
707 mentioned, traffic hasn't been raised, so I would actually just like to concentrate on that
708 issue. Over the last two weeks, I have canvassed over 200 households in the area.
709 And overwhelmingly, people have been opposed to this issue. And one of the points
710 that comes up is traffic.

711 So I'm going to read from an email I received from one of the people I spoke
712 with. This is a resident who lives on Rosa Road and Old Middleton Road and has been
713 there for 24 years. She strongly objects to the Old Sauk Road development and
714 particularly on the issue of traffic and safety. She's raised the question about whether a
715 traffic study has been done and recommends particularly that if the study has been
716 done, that it includes the intersections of Old Sauk and Gammon, as well as the
717 intersections of Old Sauk and Old Middleton.

718 And she writes that traffic is already congested at the confluence of Old Sauk,
719 Old Middleton, and Rosa Roads, particularly during rush hour. Drivers coming down
720 Old Sauk already ignore the stop sign at the bottom of Old Sauk while zipping right onto
721 Old Middleton to head downtown or to take Rosa Road. There are two pedestrian

722 crosswalks within the first mini block of this area. And in spite of the flashing yellow
723 pedestrian crosswalk, many drivers pay no attention to the pedestrians and speed through.
724 And I can attest to that because I went down there today and took video. I stood at that
725 intersection and videotaped drivers going straight through. I'm happy to share those.
726 [02:30:15]

727 There have been four dangerous vehicle accidents near these intersections,
728 resulting in property damage but, thankfully, no deaths. To access Mineral Point Road
729 from Old Sauk, there are only two options, Gammon Road or Rosa Road. To access
730 the Isthmus, the most direct route is eastbound via Old Middleton Road.

731 The added traffic from this development would create potentially dangerous
732 traffic hazards, particularly for students and associates of Crestwood Elementary, Glenn
733 Stephens Elementary, Memorial High School, Capital High, Thomas Jefferson Middle
734 School, and John Muir Elementary School. Because Rosa Road is a straight,
735 uninterrupted thoroughfare, many drivers use it as a race course, ignoring the 25 mph
736 speed limit.

737
738 **MAYOR RHODES-CONWAY:** You have about 30 seconds left.

739
740 **SANTIAGO:** I can also attest to that because I stood by the speed limit sign and took
741 five-minute readings, and 90% of the drivers exceeded the speed limit. Until Madison
742 can rectify this situation with a traffic study, keeping residents, school children, bikers,
743 and drivers safe in this area, we strongly ask that members of the Council consider
744 pausing this proposal and reconsider the issues that have been raised by the residents.
745 Thank you very much.

746
747 **MAYOR RHODES-CONWAY:** That's your time, thank you. Our next registrant is
748 Helen Bradbury of District 6, representing Stone House Development, to be followed by
749 Doug Hursh, to be followed by Paul Reith(?). Helen?

750
751 **BRADBURY:** Thank you. Can [inaudible] slide deck be brought up, please?

752
753 **MAYOR RHODES-CONWAY:** Yes. Staff are working on it.

754
755 **BRADBURY:** And they can leave it up for Doug. I'm Helen Bradbury from Stonehouse
756 Development. This is a co-development with another group called New Madison
757 Development. Doug Hursh is our architect. He's with Potter Lawson, and he'll speak
758 next. And we also have with us, available to answer questions, Wade Wyse from
759 Wyser Engineering. And specifically, he'll talk about storm water if there are questions.

760 I'll just use my three minutes to tell you why we were attracted to this site. First,
761 it's rare to find a 3.7-acre site this close to downtown. It was under, it's underutilized
762 remnant of a farm that's currently assessed at \$1 million . . .

763
764 **MAYOR RHODES-CONWAY:** I'm sorry, Helen, can you hold on just a sec?

765
766 **BRADBURY:** Sure.

767

768 **MAYOR RHODES-CONWAY:** Can, Tech Support, can you allow Bill Fruhling to share
769 his screen, please?

770
771 **WOMAN:** That option should be there now.

772
773 [02:33:01]

774 **MAYOR RHODES-CONWAY:** Let's just make sure we can get the slides. Okay, go
775 ahead, Helen.

776
777 **BRADBURY:** Yeah. Bill, you can go to the second slide. There you go. Again, just
778 my bullet points on what, nope, back one, why we were attracted to this site. As
779 previous speakers have said, it is in walking distance to two bus stops, and Doug will
780 show you more about that, with 36 trips a day. It has direct access to the bike network.
781 It's on an arterial road.

782 We first saw it when we saw the comprehensive plan and realized the asterisk,
783 that we could build 70 units. We did decide that that was too large for the site. And so
784 what we have developed, and Doug will show you the site plan, is 138 units in 3 stories.
785 We greatly exceed the setback requirements so we could minimize the impact on the
786 neighbors behind us.

787 And, as many speakers have said, this is a wonderful neighborhood, and this is
788 an ability for renters to enjoy living in a desirable area. Not everyone wants to live
789 downtown. Next slide. Thank you.

790 And, as others have said, there is a precedent in this neighborhood, and that is
791 Yorktown Estates, which has successfully existed for 25 years. It's considerably larger.
792 It's over 200 units and is 4 stories tall. Next, next slide. Thank you. The one
793 contiguous to us, the property contiguous to us is actually almost the same size in terms
794 of height. Yes, it's not as long, but height-wise, it's the same.

795
796 **MAYOR RHODES-CONWAY:** You have about 30 seconds left.

797
798 **BRADBURY:** Next slide. Real quick, we did have two neighborhood meetings, and the
799 first meeting, we had a 4-story, 175-unit building, and we reacted to the neighbors'
800 concerns about height and size by taking an entire story off. And now it's 138 units.
801 We kept the same amount of parking stalls, underground parking, so we could increase
802 our stalls per unit to assuage their concerns about street parking.

803
804 **MAYOR RHODES-CONWAY:** Thank you. That's your time, Helen.

805
806 **BRADBURY:** Thanks.

807
808 **MAYOR RHODES-CONWAY:** Our next registrant is Doug Hursh of District 19,
809 representing Potter Lawson, to be followed by Paul Reith, to be followed by Nino
810 Amato. Doug?

811
812 **HURSH:** Good evening. You can go to the next slide, Bill. So this is the site of, try to
813 go through this really quickly, 3.7 acres where it exists today. Old Sauk Road is to the

814 bottom of the image. The next slide, you'll see the site plan. The building, we've
815 broken it up into three wings. So as you go along Old Sauk Road and also on the back
816 of the building, it's broken up into these smaller elements with the larger portion of the
817 building being set back into the middle of the site, creating four courtyards. Parking is
818 underneath. So those are green roofs. They will absorb water.

819 [02:36:12]

820 Deliveries would take place in the back on the access drive, so deliveries
821 moving, trash will not occur on Old Sauk Road. The next slide, please. Just draw your
822 attention just to some of the setbacks of the property. Towards the east, we are 115
823 feet from the closest building, to the north, 104 feet, and to the west, 87 feet to the
824 closest house.

825 The next slide, show you a little bit about how the building looks, this is an aerial
826 view highlighting those three wings. There will be walkup units. On the ground floor,
827 there's a pedestrian, a main entry in the center there. You can see the new crosswalk
828 that will be installed because of the development. And you can see the green roofs that
829 are in between those wings. And you can see sort of the three stories of the scale of
830 the building.

831 The next slide shows you the entry, the pedestrian entry and the walkup units.
832 You can go to the next slide. Another view of that entry feature. The design takes its
833 cues from the neighborhood, trying to fit in with traditional residential materials, siding,
834 and brick, as well as large overhangs. The reason for the flat roof is to keep the height
835 of the building a little bit lower, and there will be solar panels on the roof.

836 The next slide is a view just into one of those landscaped courtyards. Those
837 courtyards are, the façade of the building is 86 feet back from the road. The next slide
838 is just, we had submitted shadow studies. I'll move on to the next slide, which is just a
839 list of sustainable features. Like I said . . .

840

841 **MAYOR RHODES-CONWAY:** You have about 30 seconds left.

842

843 **HURSH:** . . . this is an infield(?) project. We'll have green roofs, solar panels, and
844 that's what I have. Thank you.

845

846 **MAYOR RHODES-CONWAY:** Thank you. Our next registrant is Paul Reith of District
847 19, to be followed by Nino Amato, to be followed by R.S. Sund. Paul?

848

849 **REITH:** Hi, thank you. Can you back up three slides, please? Oh, I'm sorry. I'm not
850 able to use the slides that were used concurrently by two other presenters. But as you
851 noticed, the landscape views and the elevations were from a position that assumes that
852 the property across the street is unoccupied green space. And I think that is very unfair
853 representation. So if you back up a couple of slides, you will see that those elevations
854 show a lawn, not a house that you're looking through to see the subject property in the
855 proposal. So we can back up to all of these elevations.

856 [02:39:05]

857 In fact, this elevation would be behind the house as there is a house directly in
858 between you and this elevation. It's a very unfair representation. It represents the
859 opposite side of the street as open land and park. And I strongly oppose this

860 development because, for Yorktown is not a comprehensive for similar property or any
861 other property because they put a driveway offset, not at the intersection, right? There
862 is no development plan that provides for a plan that matches with the street design of
863 the neighborhood. They put a driveway offset, and here you have this side driveway
864 and then a 15-foot setback for a garage that is a couple of units down.

865 This is a 3-floor, 15-foot setback from the street. It is not contiguous with the
866 neighborhood. And unfortunately, it doesn't fit very well. And I understand that, at the
867 end of the day, this is the best that Stone House could afford with the property values.
868 But this same Common Council is celebrating Homeownership Month while making the
869 missing middle evaporate. These are lands that were designated for low- to medium-
870 density housing. And every time a development such as this is approved, you are
871 taking away land and opportunity by making a market for properties like this in the city
872 where it is no longer affordable.

873 In 1994, I decided to live in Chicago and go to school because it was cheaper
874 than living in Madison. In 1997, when I changed from engineering to economics, I
875 decided to live in Eau Claire instead of Madison because it was too expensive. There is
876 not a housing crisis. Madison is an expensive place to live. It always has been . . .

877
878 **MAYOR RHODES-CONWAY:** You have about 30 seconds left.

879
880 **REITH:** Thank you very much. It always has been, and it will always be a challenge.
881 We have a great number of public features, like the lakes, that make it costly to develop
882 and live in. And one of the greatest values that Madison has is accessibility to the rest
883 of the state and all the natural resources that we have. This does not create affordable
884 housing. It does not serve the missing middle. It only . . .

885
886 **MAYOR RHODES-CONWAY:** Thank you. That's your time. Our next registrant is
887 Nino Amato of District 9, to be followed by R.S. Sund, to be followed by Tyson Vitale.
888 Nino? Do we have Nino online?

889
890 **WOMAN:** There is no one by that name in the meeting.

891
892 [02:42:00]

893 **MAYOR RHODES-CONWAY:** Thank you. Then our next registrant is R.S. Sund of
894 District 19, to be followed by Tyson Vitale, to be followed by Jeff Western. Do we have
895 R.S., perhaps online? If not . . .

896
897 **WOMAN:** R.S., you should be able to unmute.

898
899 **MAYOR RHODES-CONWAY:** There should be a prompt to unmute. It might be
900 hidden under a window. All right. While you figure that out, R.S., we're going to go on
901 to Tyson Vitale of District 6, if Tyson is present. If not . . .

902
903 **WOMAN:** There's no one by that name in the meeting.

904

905 **MAYOR RHODES-CONWAY:** Okay. So let's keep trying for R.S., please. And then
906 we'll go on to Jeff Western of District 19, to be followed possibly by R.S. and possibly by
907 Wade Wyse. Oh, Wade is only registered for questions. So, Jeff, please.
908

909 **WESTERN:** Thank you, Mayor and Alders, for the opportunity to talk to you tonight. My
910 name is Jeff Western, and I'm opposed to this project. My wife, Kathy, and I live at 25
911 Saint Andrews Circle in Madison. We have lived in our home for 30 years. Our
912 property directly adjoins the proposed development site closer than any other home to
913 this development site.

914 My home is within that 20-foot offset in terms of where they have parking, facing
915 directly at my house, with a barrier so that they have not met the 20-foot offset. The
916 development site, the development has watershed access road traffic, pollution noise,
917 light, and shadowing impacts to our home, property, and environment, significantly
918 impacting our quality of life and use of our property.

919 Kathy and I are not opposed to a multifamily housing development on this site
920 and have always publicly stated so, always. I've made that comment many times in the
921 past. I continue to. It is that this facility is too large for the site, and it negatively
922 impacting our environment, home, and our way of life.

923 Our most major concern is flooding of our home and property. We have double
924 sump pumps that run when we have significant rains, as in the past few weeks. Our
925 yard is properly drained so surface water drains directly to Saint Andrews Circle. What
926 we are experiencing is water flowing underground, hydrostatic pressure from the
927 proposed development, significant underground water during a storm close to our
928 underground system resulting in our sump pumps running continuously for hours.
929 [02:45:05]

930 The proposed underground tank, approximately 20 feet from our property, would
931 infiltrate water, pushing it down into the soil approximately 5 feet about the level of our
932 backyard, which would definitely result in additional water flowing underground to our
933 property. This does not include additional surface water generated by the site,
934 reconstruction, and snow piling on our property will be bearing.

935 What is more concerning with the proposed watershed plan is the potential
936 flooding it will cause, not only to our property, but many of the properties on Saint
937 Andrews, Spyglass, Torrey Pines Court, as well as others. In an engineering review
938 dated May 24th, Chuck [inaudible] and Professor John Norman stated, given the
939 uncertainties that exist at this time, we ask you to defer decision on the zoning change
940 until further detail becomes available regarding the proposed storm water practices for
941 this development. We respectfully request . . .
942

943 **MAYOR RHODES-CONWAY:** You have about ten seconds left.
944

945 **WESTERN:** . . . the Common Council does not approve or recommend approval of this
946 project or any land of applications for this project until Stone House has fully approved
947 the storm water [inaudible]. Thank you so much.
948

949 **MAYOR RHODES-CONWAY:** Thank you. All right. Let's try for R.S. Sund of District
950 19 on the Zoom.

951
952 **SUND:** Can you hear me?

953
954 **MAYOR RHODES-CONWAY:** Yes.

955
956 **SUND:** Okay. All right. So if the Council rezones these parcels tonight, it actually will
957 be double ironic. First, it will set up the removal of 3.7 acres from the possibility of siting
958 owner-occupied housing in a desirable neighborhood, maybe as many as 24 units on 12
959 lots, on the day the Council recognizes June as Homeownership Month. Second, it will
960 do this on the eve of Juneteenth in a city with an alarming and shameful racial disparity
961 in homeownership. Fifty-three percent of white households and 18% of blacks owned
962 their homes in 2022.

963 Policies that promote rezoning for high-density, market-rate apartments
964 exacerbates this racial injustice. This is because, as a consequence of past races
965 policies and practices, non-whites are overrepresented among low-income households,
966 and rentals drive up cost across the housing market.

967 Econ 101 simplistic supply and demand doesn't apply when profit-driven, large-
968 scale, rental developers are in competition with Wall Street returns. They will not build
969 new units unless they can generate high profits by extracting excessive rents. They will
970 not provide affordable housing. And this particular project doesn't even purport to be
971 affordable.

972 [02:48:00]

973 Additionally, rentals are particularly financial devastating to those trapped as
974 lifelong renters. Here's an example. At Stone House's west side [inaudible] crossing, a
975 1-bedroom apartment of 708-square feet with a parking stall costs \$1,930 a month.
976 Over 30 years, assuming a lower-than-likely 5% yearly rent inflation, a renter's
977 payments would total \$1.54 million. At that point, the renter has no equity, only the
978 prospect of paying even more hyperinflated rent. The renters have bought the building
979 for the landlord and have nothing to show for it. That's exploitation.

980 Compare that to buying a house with 20% down and a 30-year mortgage and
981 7%. If we include the potential income lost on the down payment and the property tax
982 growing at 5% a year, that same money would buy a \$387,000 house today. My three-
983 bedroom childhood home in Madison's . . .

984
985 **MAYOR RHODES-CONWAY:** You have about 30 seconds.

986
987 **SUND:** . . . costs about that now. Its total area with a basement is almost four times
988 larger than the apartment, plus it has all the other privacy and stability advantages of
989 homeownership. At the end of 30 years, the owner's costs are small, and at the end of
990 life, they can pass the asset on to their heirs, thereby building generational wealth, a
991 means many non-whites and others have not had access to in the past. As a long-time
992 former renter, I urge you to do everything you can . . .

993
994 **MAYOR RHODES-CONWAY:** Thank you. That's your time.

995
996 **SUND:** . . . homeownership and reject this rezoning for yet . . .

997
998 **MAYOR RHODES-CONWAY:** Thank you. That's your time. All right. We'll try just
999 once more for the folks that weren't here. I don't see them on the Zoom, but just in
1000 case, Gregory Kehler, Ruth Nair, Dan Pensinger, Nino Amato, or Tyson Vitale?
1001
1002 **WOMAN:** I believe Nino might be under Anthony Amato. Is there an Anthony Amato?
1003 No?
1004
1005 **MAYOR RHODES-CONWAY:** No, I don't see it, him at all. All right. Seeing none then,
1006 those are the registrants we have wishing to speak. Are there questions for registrants
1007 on this item tonight? Alder Madison?
1008
1009 **ALDER MADISON:** Thank you, Mayor. I just wanted to ask quickly whether or not
1010 Helen Bradbury or Doug Hursh had more to share from their slides [inaudible] more
1011 time.
1012
1013 **MAYOR RHODES-CONWAY:** Is there objection to additional time for either of those
1014 registrants? Seeing no objection, Helen or Doug, did you have anything additional you
1015 wish to share? Doug is saying no.
1016
1017 [02:51:00]
1018 **BRADBURY:** This is Helen. We could go on all night about the benefits of the project.
1019 But I think the only point that I think wasn't made is that we have addressed the storm
1020 water. Our engineer is working directly with the City. We heard early on that it was a
1021 concern at the first neighborhood meeting, so we moved quickly to get a plan together
1022 and get it to the City much ahead of when we needed to in the normal process. So I
1023 think, if there are questions on that, Wade is here to answer them. But beyond that,
1024 unless you have any specific questions.
1025
1026 **MAYOR RHODES-CONWAY:** Thank you. Alder Madison, any specific questions?
1027
1028 **ALDER MADISON:** No, not right now, thank you.
1029
1030 **MAYOR RHODES-CONWAY:** Thank you, Alder. We'll just go through and see if there
1031 are other questions for Helen. Alder Harrington-McKinney, is it for the development
1032 team?
1033
1034 **ALDER HARRINGTON-MCKINNEY:** [Inaudible].
1035
1036 **MAYOR RHODES-CONWAY:** No? Okay, I'll keep you in the queue then. Alder
1037 Rummel, for the development team? Yes, Alder Rummel for the development team.
1038
1039 **ALDER RUMMEL:** Maybe Doug can answer, or Helen. Is there, did you do a traffic
1040 study? We heard several people mention, you know, standing out and counting cars,
1041 so.
1042

1043 **HURSH:** There is a traffic study that was submitted with the documents. Ayres did the
1044 study. And I think in the staff report, the engineers have accepted it.
1045
1046 **ALDER RUMMEL:** Can you just say what your version of what the staff report was in
1047 case everyone didn't dive in?
1048
1049 **HURSH:** I don't know if I'd be the right one to answer those questions. I'm not an
1050 expert on the traffic study. But I'd have to . . .
1051
1052 **ALDER RUMMEL:** It's okay. Never mind, thank you.
1053
1054 **HURSH:** . . . I don't have that much information on it, sorry.
1055
1056 **MAYOR RHODES-CONWAY:** Thank you, Alder. Hang out though. Alder Bennett, is it
1057 for the development team?
1058
1059 **ALDER BENNETT:** Yeah. I suppose we could ask the previous question to staff. But I
1060 was wondering, many people referred to like why this isn't affordable. And I know Stone
1061 House has completed many, many affordable housing developments. So could you
1062 help me understand what was kind of the reasoning here? Like why not affordable in
1063 this project?
1064
1065 **HURSH:** I think that's a question for Helen.
1066
1067 **MAYOR RHODES-CONWAY:** Helen, did you hear Alder Bennett's question? You
1068 have to unmute yourself again, Helen, sorry.
1069
1070 **BRADBURY:** There we go. I didn't get the prompt, sorry. Yeah. I mean, Alder
1071 Bennett is correct. Stone House is a proponent of affordable housing and have
1072 developed many affordable housing, some of them very close to this property. And we
1073 did planted the idea in the beginning of including some affordable housing, but the
1074 economics these days just aren't working out, the general macroeconomics, plus we did
1075 lose density here when we took the floor off. We're not in a TIF district. And the
1076 sources of gap financing in this area just aren't there.
1077
1078 [02:54:21]
1079 **ALDER BENNETT:** Thank you. And then I wanted, and then I think your presentation
1080 began to, but maybe didn't fully, address how this development would fit into the area. I
1081 know it's like the same level in height and everything, but I'm kind of wondering like, I
1082 think you're not in the business of putting developments where they don't fit. So what is
1083 your kind of take on how this development would fit into the neighborhood?
1084
1085 **BRADBURY:** Is that me? Thank you. Yeah. Well, I think Doug showed you on the
1086 site plan, I mean, people have said it's 400 feet long. It doesn't read as 400 feet long on
1087 Old Sauk. It reads as three wings, almost three sets of townhouses. That was
1088 important to us.

1089 We have, we're only using, I think the impervious surface is only 60%, and that
1090 doesn't count the green roofs. So it does, it will feel more suburban. There are, there's
1091 bocce courts. There's a dog park. I mean, it's really meant to fit into a suburban-type
1092 environment.

1093 We also, which Doug didn't point out, we have a privacy fence going all along the
1094 western border, is it western, eastern border and the southern border of the property so
1095 that any, there's very little chance that car lights or anything like that will disturb the
1096 neighbors. And finally, we're going to be the managers, and we know how to manage in
1097 a neighborhood. We have many properties right in the middle of [inaudible], and I don't
1098 think we're a nuisance to any of our single-family residential neighbors, and we don't
1099 intend to be here either.

1100

1101 **ALDER BENNETT:** All right. Thank you, Helen, and thank you, Doug.

1102

1103 **MAYOR RHODES-CONWAY:** Okay. Hang out for a minute. Alder Vidaver, is it for the
1104 development team?

1105

1106 **ALDER VIDAVER:** Yes.

1107

1108 **MAYOR RHODES-CONWAY:** Go ahead.

1109

1110 **ALDER VIDAVER:** So, Helen and Doug, if you could just tell us, so like this, you got
1111 two developments in the agenda tonight. One is a 4-acre, one is an almost-40-acre.
1112 You know, the 4-acre is this multifamily, you know, sort of single, large building, versus
1113 the 40-acre, which is going to be more separated, affordable housing, etc. Can you just
1114 talk to us a little bit about the economics? And is it just the acreage difference that
1115 allows you to have that kind of a different of a proposal at the other site versus this one,
1116 or are there other factors that go into it that really required you to do this large complex
1117 at this site?

1118

1119 [02:57:09]

1120 **BRADBURY:** Do I need to be on? There we go. Yeah, it's kind of apples and
1121 oranges. The Voit site is, it's really a plat at this point. And it's high density where it
1122 needs to be. There's some five-story buildings and some four-story buildings. So the
1123 economics of the entire site work out a little better. And we were able to partner with
1124 Madison Area Community Land Trust and Habitat for Humanity, and Stone House
1125 intends to do an affordable property on that site. So, yeah, it was the size of the plat.
1126 There, we're kind of just creating a whole new neighborhood where nothing has existed
1127 before. So it just made sense to have a mixed income.

1128 And then on Sauk, we don't consider 138 units all that large. It kind of, that size
1129 lends itself to our style of management, you know, full-time managers and full-time
1130 maintenance techs and that kind of thing. And it's a little pricier, so the economics of
1131 that, and, again, it's not in a TIF district. We'll be looking for TIF for Voit, which will help
1132 on the affordable side. I don't know if that answers your question.

1133

1134 **ALDER VIDAVER:** Yeah. It was really just trying to get at like, right, we've heard from
1135 the residents that what they really seek is this sort of, you know, lower-density, missing
1136 middle. And what I'm trying to ask of you is why you can't do that on this site.
1137

1138 **BRADBURY:** I guess I can respond that with the macroeconomics of today, you can't
1139 do that anywhere, as far as our number-crunching can show, because to build, I mean,
1140 for example, we couldn't build with, Habitat for Humanity is going to be building on Voit,
1141 because for us to do it without all of their subsidies and their sweat equity and stuff like
1142 that, a duplex would end up costing, you know, \$500,000. And then you'd end up trying
1143 to sell it for a ridiculous amount of money. I mean, the economics just aren't there for
1144 missing-middle on that scale.
1145

1146 **ALDER VIDAVER:** Thank you.
1147

1148 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Bennett, is it for the, okay,
1149 thank you. So I think that's it for the development team. Thank you. I'll go back then to
1150 Alder Harrington-McKinney.
1151

1152 **ALDER HARRINGTON-MCKINNEY:** Thank you, Madam Mayor. Lynn Green.
1153

1154 **MAYOR RHODES-CONWAY:** Lynn? Go ahead, Alder.
1155

1156 [03:00:08]

1157 **ALDER HARRINGTON-MCKINNEY:** Thank you very much. Thank you, Lynn. I want
1158 to start at, it was mentioned that there were two neighborhood meetings. And I also
1159 heard that the resident voices were not listened to. Could you say more about that
1160 piece before I move forward?
1161

1162 **GREEN:** Yes. And I just want to express sincere appreciation for being asked to
1163 speak. I need to tell you that this is the first time, in all our meetings, that anyone has
1164 asked a follow-up question of a resident. All the follow-up questions have always been
1165 of the developer.

1166 What I was unable to talk about is the disturbing lack of attention to and concern
1167 for the resident voice in this process. As I said, I have experience in siting housing.
1168 Location is a very important factor, and resident feedback is a very important factor.
1169 And that is just not being put into this process. As I said, I was jealous of what I heard
1170 about the Essen Haus process because it sounded like a wonderful exchange of
1171 different viewpoints and ending up in a win-win situation that is working out well and
1172 acceptable for everybody. That is not the process that has occurred in this
1173 development.

1174 Even the staff report, although it recommends support, encourages you all to
1175 listen to all the public input that has been put into this proposal. There's been an
1176 extraordinary amount of opposition. There were two opposition petitions. One had 259
1177 District 19 residents sign it, and a very recent one had 278 district residents. And I
1178 know that there are many, many people throughout this city who also oppose this
1179 proposal.

1180 Your meeting agenda, I just want to remind you, at the top, and I love this, but
1181 your meeting agenda says, consider who benefits, who is burdened, who has not had a
1182 voice at the table, how can policymakers mitigate unintended consequences?
1183 Hundreds of District 19 and city-wide residents do not feel that their voice is being heard
1184 in this process.

1185 [03:03:00]

1186 Every time we try to express a voice, we are being called names. We are being
1187 called nimbies. We are being called white, entitled, privileged people. We're being
1188 written off that we aren't willing to change. That's just unfair. That just cuts off any
1189 constructive conversation. The people from the neighborhood that are talking to you
1190 are long-term, caring residents of this community. They have supported the city. They
1191 have done wonderful people, things for this city. Their voices need to be part of this
1192 process, and they're not.

1193 What has been part of this process is the developer. The developer has been at
1194 the table. The developer has been listened to. I'm trying to be brief. I respect your
1195 time. And I'm sorry if I sound frustrated.

1196 But I'm going to give you one concrete example. We have, as a group, we
1197 produced slides for you to show you how this fits into the neighborhood in terms of
1198 height and length. I called the Common Council office and asked them if, how we could
1199 share them. We were told we could not. But somehow, Stone House was able to put
1200 their slides up on the screen.

1201 My husband, my husband stood here with a little card trying to show you, we
1202 have analysis. This is taller, by far, from anything in the neighborhood, and it is 400 feet
1203 long. I guarantee you, we analyzed it based on the developer's blueprints. It is 400 feet
1204 long. It's massive. It does not belong in this location. We are not opposed to change.
1205 We are not opposed to giving to the community. We want to be able to support that
1206 property being used in a way that meets the needs of city residents. But this is just not
1207 it. And we, I plead with you to please listen to us and have our voices be part of this
1208 process. So thank you for asking.

1209

1210 **ALDER HARRINGTON-MCKINNEY:** Okay. And my next question is about flooding. I
1211 mean, that has come up several times. Could you speak into that specifically, about the
1212 flood plain and the storm water, from your perspective? When I say your, as a resident
1213 perspective.

1214

1215 **GREEN:** Yeah. I'm not probably the best at that because we don't live directly where
1216 the flooding has occurred. But I'm away, in the flooding of 2018, that the basements of
1217 the home in that area were flooded, that there are some major storm water issues.
1218 What is happening here is, essentially, if you look, the city build Old Sauk about two feet
1219 higher than that property is, and the property has always served, that farm property has
1220 always served as a bit of a natural retention pond when there are storm incidences.

1221 [03:06:18]

1222 Take all that property that's now permeable, and cover it with concrete the size of
1223 this, and you will just have major runoff issues. And from what we have been told, there
1224 is, to date, not an approved storm water plan. And so that clearly, to me, is a very
1225 concerning issue.

1226
1227 **ALDER HARRINGTON-MCKINNEY:** So I'm going to circle back to the neighborhood
1228 meetings. In the neighborhood meetings, who was present in those neighborhood
1229 meetings?

1230
1231 **GREEN:** Okay. The neighborhood meetings were virtual meetings, they were not face-
1232 to-face meetings, with the developer. The first was for them to tell us what their
1233 proposal was. And it was for four stories and the number of units that, the 180 units.
1234 Based on knowing that that was absolutely overwhelmingly acceptable in size, they
1235 brought it down a floor. But you should know, the blueprint remained exactly the same.
1236 It came down a floor and less units, but the structure itself is still as large. The footprint
1237 on the property is still as large as it was when it was a taller building with more units.

1238 The input that we gave them was to talk about our concerns, to work with them
1239 on issues to see if we could come to some mutually agreeable situation or agreement
1240 as to what an alternative would be. And there was never any two-way communication.
1241 They listened to us, went back, and then presented their drawings to the City.

1242 I'm going to, I just feel like I'm pulling out all the stops here, but I have to tell you,
1243 I called Stone House Development because I've worked with them many times on very
1244 good, affordable work that they did, and I respected their work. And I felt like we could
1245 get a good discussion going and do something great together on this unique property.
1246 They told me they were appreciative that there were people wanting to work with them,
1247 and they would get back to me. Crickets. Never, never a call back, never an outreach
1248 back to any of us to dialog and talk through any of our concerns. It has, we have been
1249 totally just, you know, give us your feedback, and that's it, end of discussion.

1250
1251 [03:09:12]

1252 **ALDER HARRINGTON-MCKINNEY:** So in your final words, what would you like for us
1253 to hear from you? Is there any summary that you want to be sure that you, that we
1254 hear?

1255
1256 **GREEN:** I think what I want you to hear is this is a neighborhood who cares, who cares
1257 about the needs of residents in this neighborhood who are struggling with housing
1258 issues. We want to be part of that solution. We are open to change. We are not a
1259 bunch of nimbies, white, elitist, entitled. I never felt entitled in my life, to be honest. So,
1260 you know, I'm white and old. I can't do anything about that. But I don't live in a big
1261 mansion, trust me. Come over and see my house. It's pretty small.

1262 I want you to hear that we care and that we want to do something on that
1263 property that meets a need and also retains what that neighborhood is about. And I
1264 don't see any, I don't apologize for that.

1265
1266 **ALDER HARRINGTON-MCKINNEY:** So before you sit down, I know that you're
1267 retired. Just give us a brief synopsis of what you did with Dane County. And who did
1268 you work with? What population did you work with?

1269
1270 **GREEN:** Well, I worked too late in life, so what can I say? But I worked for the Dane
1271 County Department of Human Services for almost 50 years. Unfortunately, I'm having

1272 post traumatic stress standing here because I stood here so many hours of my life. The
1273 last 17 of those years was as Director of the Department. I retired about four years ago.

1274 Dane County was never active in homelessness and housing, but under my
1275 tenure at the Department, we actually hired our first housing and homelessness
1276 manager and developed a division to do that. I've site, I've worked very closely with the
1277 City, and I want to let you know, I'm continuing to work on homeless issue projects to try
1278 and find solutions for some of the city's issues around homeless issues.

1279 I worked with the City, unfortunately, probably not a positive at this point, but with
1280 Rethke and with Wexford. I sited the Beacon. And I will tell you, I went through six
1281 different sites and listened to resident feedback and left those neighborhoods because
1282 of what people did not want the homeless day services. We actually bought the
1283 Messner Building, the County, and had a design for that and left because of how the
1284 neighborhood felt. And we found a setting that was acceptable because we wanted it to
1285 be a win-win for both the community and the consumers who needed it.

1286 I've worked with the Road Home on siting and supporting affordable housing
1287 units and case management to help needy residents. I was on the Allied Task Force
1288 and helped the City with the development you did that of affordable, small houses. So
1289 this is an area I know. And I know there is a need for all kinds of houses, but in proper
1290 locations.

1291

1292 [03:12:36]

1293 **ALDER HARRINGTON-MCKINNEY:** Thank you.

1294

1295 **MAYOR RHODES-CONWAY:** Thank you, Alder. Hold on, Lynn. We'll see if anybody
1296 else has a question for you. Alder Bennett, is it for Lynn?

1297

1298 **ALDER BENNETT:** It, yeah.

1299

1300 **MAYOR RHODES-CONWAY:** Alder Bennett?

1301

1302 **ALDER BENNETT:** Thank you, Lynn. I really appreciate it. I was just wondering, so in
1303 this neighborhood, there are a lot of like those no rezoning signs, so which is kind of
1304 confusing.

1305

1306 **GREEN:** Yes, it's very confusing, and I apologize for that. Somebody started making
1307 them, and it was all we had to put out. It's really hard to know what you can get
1308 people's attention on a sign, and I guess the people who made those signs thought that
1309 was it. It is very misleading, and that's why I tried to clarify in my notes, we are not
1310 against rezoning. And I'm sorry that that's the way that sign reads. What we, what it
1311 should say is appropriate rezoning or conscientious rezoning. And so I do apologize.
1312 It's conveying the wrong message, that it's not our message. It's just trying to get the
1313 attention of people to what our concerns are about what's being proposed across the
1314 street.

1315

1316 **ALDER BENNETT:** I see, yeah.

1317

1318 **GREEN:** Very good question.
1319
1320 **ALDER BENNETT:** Yeah, that makes sense. I just want to know like appropriate
1321 rezoning would be like the missing-middle, which is 2 to 12 units.
1322
1323 **GREEN:** Yes, yes.
1324
1325 **ALDER BENNETT:** Yeah, which is something that the neighborhood . . .
1326
1327 **GREEN:** Right. Because you're aware, to even do what they're doing, you not only
1328 have to rezone, but then you, and I'm not the best at this either, but you need to enact
1329 conditional use permits to be able to even up the density. And so we're not only
1330 rezoning, but you're also increasing what can be done in that rezoning category.
1331
1332 **ALDER BENNETT:** Mm-hmm, okay. Yeah, that makes . . .
1333
1334 **GREEN:** A very good question. Thank you for asking.
1335
1336 **ALDER BENNETT:** Thank you, yeah.
1337
1338 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Tishler, is it for Lynn?
1339
1340 **ALDER TISHLER:** No.
1341
1342 **MAYOR RHODES-CONWAY:** Okay. I'll come back to you, Alder. Alder Govindarajan,
1343 is it for Lynn? All right, Alder Govindarajan?
1344
1345 **ALDER GOVINDARAJAN:** Thank you. You mentioned earlier that there was a
1346 presentation that you weren't able to present today. I understand there's some
1347 communication, miscommunication that took place. The Common Council office, I
1348 believe, asked you guys to share it with the Alders. Did you already email it to the
1349 Alders?
1350
1351 [03:15:14]
1352 **GREEN:** Michael, did we do an attachment to, I believe it was part of something that
1353 never got posted on the agenda.
1354
1355 **GREEN:** [Inaudible] as of late this afternoon, it hadn't been posted yet.
1356
1357 **GREEN:** And the slides are there, and they compare the height of this building to
1358 Settler's Woods to all the comparative buildings that Stone House is comparing and
1359 saying their building is comparative. It shows the actual, factually, where the height of
1360 their building is taller.
1361
1362 **ALDER GOVINDARAJAN:** And you said that's a Friday email? Just because I'm
1363 curious. I would like to look at that.

1364
1365 **GREEN:** However, it was never posted, as of today.
1366
1367 **ALDER GOVINDARAJAN:** If you sent it to allalders@cityofmadison.com, we should all
1368 receive it in our inbox. Okay. Sorry.
1369
1370 **MAN:** [Inaudible] can't hear.
1371
1372 **GREEN:** Okay. If there's some way we can get it to you, I think it's very educational.
1373
1374 **MAYOR RHODES-CONWAY:** So Karen is going to try and facilitate, but the best way
1375 to make sure that Alders see something is to send it to the email address
1376 allalders@cityofmadison.com.
1377
1378 **GREEN:** And we did.
1379
1380 **WOMAN:** We did.
1381
1382 **MAYOR RHODES-CONWAY:** And so then it is in everybody's inboxes, and they
1383 should have access to it.
1384
1385 **GREEN:** Okay.
1386
1387 **MAYOR RHODES-CONWAY:** Alder Field has a point of information.
1388
1389 **ALDER FIELD:** Just to offer, that is on page 35 of the public comments that are dated
1390 from June 14th to June 18th on the Legistar item.
1391
1392 **MAYOR RHODES-CONWAY:** All right. If I can have quiet in the gallery, please. Alder
1393 Field is noting that it is on page 35 of the public comments, so it is in fact attached to the
1394 Legistar file. Thank you, Alder Field. So that, it is both in your collective emails, and it
1395 is on the Legistar file if people wish to access it. It's on page 35 of the public comment,
1396 which is compiled from June 14th to June 18th. So it's there. All right. Alder Knox, is it a
1397 question for Lynn? No. Thank you, Lynn.
1398
1399 **GREEN:** Thank you. Thank you for your time.
1400
1401 **MAYOR RHODES-CONWAY:** All right. Going back then to Alder Tishler, you had a
1402 question?
1403
1404 **ALDER TISHLER:** Yeah. I understand that, just so all voices can be heard that Nino
1405 Amato is actually available to speak. And if he is available, I just wanted to ask him,
1406 maybe his three minutes to comment on concerns about storm water.
1407
1408 **MAYOR RHODES-CONWAY:** I'm not sure.
1409

1410 **WOMAN:** I have just promoted Namato, which I believe is him.

1411

1412 [03:18:00]

1413 **MAYOR RHODES-CONWAY:** All right. Question around storm water.

1414

1415 **AMATO:** Yes. Can you hear me?

1416

1417 **MAYOR RHODES-CONWAY:** We can.

1418

1419 **AMATO:** Yeah. First of all, let me say that everything that Lynn Green has said tonight
1420 is right on target. And I had the honor to work with her when I was President/CEO for
1421 the Coalition Wisconsin Aging Group, and she has the utmost integrity. We expanded
1422 family care. We created the ADRCs, Aging Disability Resource Centers. And there has
1423 been an imbalance here.

1424 The storm water issue has been around for a long time. And what I'm
1425 disappointed in is that the Plan Commission has been working vigorously, since August
1426 of 2018 to come up with a storm water management system and have incorporated that
1427 in the west area plan. We have the cart before the horse by allowing this to be rezoned.
1428 This should be on hold or placed on file with prejudice until the storm water
1429 management plan comes in draft, and we can have open and continual debates.

1430 Let me also add that my first career out of graduate school was Executive Vice
1431 President of First Realty, and I was in charge of all the residential, commercial, and
1432 multifamily development and worked with almost every builder that created the west
1433 side. The land that you talked about, which is, I think, 3.6 acres, is land that Impala
1434 Builders and I looked at back in 1977. And there was a water problem back then. So
1435 we built over in Wexler Village, where I built my first two-story home, and we developed
1436 that whole area.

1437 I also think it is incredibly disingenuous on the part of Stone House to go in and
1438 say, well, we came in and asked for, you know, 210 units. That's the game that builders
1439 use because then they can negotiate down. So that's intellectually honest to give the
1440 impression that somehow they cooperated with the neighborhood. That's simply not
1441 true.

1442 As for affordable housing, Stone House has to have a pro forma with at least an
1443 8% to a 12% return. And without that, they couldn't get the funding from a bank or from
1444 private investors. So the amount of money that's going to be spent and the people that
1445 are going to be there are high-end. And it [inaudible] do anything relative to the racial
1446 disparities.

1447 On the environmental side, what they're proposing is foolish. You can't create a
1448 storm water management system on a footprint as small as that and expect not to have
1449 problems.

1450 And lastly, let me just add about the traffic pedestrian issue that both José and
1451 Kim Santiago mentioned. It will be a nightmare. I bike Sauk Road. You add 138 units
1452 without appropriate parking and everything else, you're going to have accidents. And
1453 we just talked about pedestrian safety, so this flies in the face. I encourage all of you to
1454 either place this on file with prejudice or at least delay it until we have further rigorous
1455 debate and discussions on the west area plan.

1456 [03:21:01]
1457 And the storm water management issue, that area flooded worse than it did in
1458 any other part of the city on Old Sauk Road. And thank you for finally get me on to
1459 speak.
1460
1461 **MAYOR RHODES-CONWAY:** Thank you. Alder Tishler?
1462
1463 **ALDER TISHLER:** Nope. Thank you. I just wanted everybody's voice to be heard,
1464 that's all.
1465
1466 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Latimer-Burris?
1467
1468 **ALDER LATIMER-BURRIS:** Yes. I don't know. I was just wondering what the market
1469 rents were. I know the argument is, you know, about affordability and creating more
1470 affordable housing. How much are the, say, a two-bedroom?
1471
1472 **MAYOR RHODES-CONWAY:** Alder, is that a question for the development team?
1473
1474 **ALDER LATIMER-BURRIS:** Yes, that's a question. Let me restate it. How much is a
1475 two-bedroom apartment, please.
1476
1477 **MAYOR RHODES-CONWAY:** I don't know if anyone on the development team can
1478 answer. Helen, can you answer that question? Do we have Helen still?
1479
1480 **BRADBURY:** Yeah, we, yes, we still have Helen. It will be market rate. It's difficult at
1481 this point to say what it will be. But it will be comparable to other market-rate properties
1482 in the area. So the range will be from probably \$1,800 a month to \$2,400 a month for a
1483 two-bedroom, and some of them are very large.
1484
1485 **ALDER LATIMER-BURRIS:** Okay. And then so the one-bedrooms would be from
1486 what to what, would you guestimate, excuse me?
1487
1488 **BRADBURY:** Probably the lowest, maybe \$1,500 a month. And, again, some of the
1489 one-bedrooms are huge, \$1,800, \$1,900 a month.
1490
1491 **ALDER LATIMER-BURRIS:** Okay. And when you say huge, how are you defining
1492 that?
1493
1494 **BRADBURY:** There are some, Doug is probably in a better position to answer this
1495 question. But there are one-bedrooms that are 800 square feet. They, probably, the
1496 average is over 750 square feet.
1497
1498 **ALDER LATIMER-BURRIS:** And then the two-bedrooms, please? Sorry, thank you.
1499
1500 **BRADBURY:** Again, Doug can check me. I don't have this in front of me. But they're
1501 \$1,200 to maybe \$1,400. Does that sound good, Doug?

1502
1503 **MAYOR RHODES-CONWAY:** He's nodding and saying yes.
1504
1505 **BRADBURY:** Okay, thank you.
1506
1507 **ALDER LATIMER-BURRIS:** Thank you.
1508
1509 **MAYOR RHODES-CONWAY:** Thank you, Alder. All right. Now I have no other Alders
1510 in the queue. Oh, too late, Alder Harrington-McKinney.
1511
1512 **ALDER HARRINGTON-MCKINNEY:** Thank you very much. The storm water
1513 question, were, yes.
1514
1515 [03:24:04]
1516 **MAYOR RHODES-CONWAY:** Alder, are you looking for a neighbor who can speak to
1517 storm water?
1518
1519 **ALDER HARRINGTON-MCKINNEY:** Yes, yes.
1520
1521 **MAYOR RHODES-CONWAY:** Is there someone who would like to volunteer to answer
1522 the Alder's questions?
1523
1524 **ALDER HARRINGTON-MCKINNEY:** Thank you, Madam Mayor.
1525
1526 **MAYOR RHODES-CONWAY:** Go ahead, Alder.
1527
1528 **ALDER HARRINGTON-MCKINNEY:** All right. So I'm over here. The reason that I
1529 wanted to hear a resident speak of storm water, in 2018, I was a west side Alder, and
1530 we went through that. I mean, it was tremendous. And so I want, that is what I'm
1531 landing on. So could you speak to us about that?
1532
1533 **WESTERN:** I will speak to that, and I'll give you a little bit of my background first. I'm
1534 the property right adjacent to, my house is closer to the property than anyone else.
1535 The, it's right to the north side. I'm a registered professional [inaudible] I have
1536 knowledge in this area. And right from the start, I had concerns about the development
1537 and in terms of the water. And I provided a lot of comments in, initially when it first
1538 came.
1539 And going back to the 2018 flood, I have double sump pumps in my house. So
1540 when it rains, water is coming down on the proposed property, and there's a layer of
1541 sand right, it's down about eight feet from the top of, because I live, my house has a
1542 stone wall. So the water comes right down under sand to my sump pumps. And my
1543 sump pumps will run continuous.
1544 And where Stone House is pushing the water down is about 20 feet from my
1545 property line, and it's up about 10 feet above my sump pump line. So the concept that
1546 they have is the water is going to dissipate and just go right straight down. The reality is

1547 that's not going to always happen. The chances of my property getting flooded is
1548 almost 100%.

1549 Right now, when I first moved into my house, I had to put in the sump pumps
1550 because with these heavy rains. When I had, when we had the 2018 flood, my house,
1551 my pump ran and ran and ran, but they protected me. If we have a similar flood like that
1552 and we have this development pushing that water down in my area, it's going to
1553 inundate everything that I have. But that's just one part.

1554 [03:27:00]

1555 We have, as we look at the Umbeck's property, which is down where the water
1556 flows onto their property, there is no, it's not connected to the city's storm water system
1557 at all. It just, what it is, it just flows over the street, going to Spyglass, between the
1558 houses. And that's not really being discussed enough. And that's what we've been
1559 trying to say. And Lynn did a really wonderful job of communicating this. We're really
1560 concerned. As an engineer, I'm concerned. We hired, we hired an engineer to analyze
1561 this. We spent a lot of money to make sure. And our engineer has provided comments,
1562 and you have all those comments, on our concerns.

1563 We also have a professor that stepped up and came to us. He walked to our
1564 door, and he said, I'm concerned about this. He actually came to our door and said, I
1565 have to tell you this. This is really scary to us, to me. And, you know, he's also on
1566 record here. You can look through what he said.

1567 There's so many parts of this right now that need more time. It's not ready to
1568 move forward yet. We want this to happen. I mean, I've been a supporter, as I said
1569 earlier, of developing this site. I've lived on this property for 30 years, and I'm open for
1570 multifamily, three-story, but it has to be done in a way that's going to be good for us and
1571 not flood us.

1572 What I feel is, as Lynn kind of pointed out, no one is listening. We hired an
1573 engineer. We got some technical experts bringing it forward. And the city engineer
1574 even said, there's a lot of still questions left. So far, what's being proposed is not
1575 approved.

1576 What we've asked for, very simply, is 100% approval of the watershed plan
1577 before the Common Council approves it. That's all. If you did that, we would be, that
1578 would make us comfortable. But we don't have that. And what we have is really scary,
1579 my property, Umbreck's property, and the way the water is going to flow. And there's
1580 no connection to the, it's all over surface.

1581 Spyglass is unique in this city. And it's really unfortunate because we don't, you
1582 don't build those anymore where you have water flowing, the street is actually the, that's
1583 how the water gets dispersed and gets down to [inaudible] pond. It's by the street. That
1584 is unusual. That should be modified.

1585 That, what we need to do, if it was me, the engineer, and I was consulting the
1586 City on this, I would say, we need to do the city plan, the watershed area. Because
1587 we're in a, we have problems in our area already. Combine that with the Stone House.
1588 Then come up with a storm water plan that's going to meet all of our needs. And it will
1589 be, it will save money, and now we're going to have, we'll be in a position that we, the
1590 community will not be flooded. And that's really our concern is being flooded. And I
1591 hope you take it very seriously because we're concerned.

1592 [03:30:28]

1593 Why would we go out and hire an engineer to do this if we weren't that
1594 concerned? I mean, we have, I'm not objecting to Stone House. But I need to add this.
1595 I've reached out to Stone House. I was in a newspaper article initially. And I said I just
1596 want to meet with them. Let's talk about this. I even talked to Alder John, and I said,
1597 we were in a meeting together, and I said, can't we just, let's have a discussion on this.
1598 Let's bring this together. And that never happened. It's all we ask for was to be heard,
1599 to communicate, and to work with you. That's what we want to do.

1600 I have nothing. I don't hold any anger or any, when I say, I don't, I want this to
1601 work. We really do. If we could come down, make that footprint of that building smaller,
1602 come up with a better watershed plan, we'd be right on it. Our engineer would even
1603 work with you, including Professor Norman would gladly work with the City. So we have
1604 expertise in this area, that I believe Stone House doesn't have. And this proposal that
1605 they have is unique. It's made for large areas where you have acres to use that system,
1606 not in a tiny area where you're using every foot of the land for water dispersion.

1607
1608 **MAYOR RHODES-CONWAY:** Thank you. Hang out. There's, I suspect there may be
1609 a couple other questions for you.

1610
1611 **WESTERN:** Pardon?

1612
1613 **MAYOR RHODES-CONWAY:** Stay there for a minute. Alder Tishler, is it for this
1614 registrant?

1615
1616 **ALDER TISHLER:** Yes, it is, yeah.

1617
1618 **MAYOR RHODES-CONWAY:** Go ahead, Alder.

1619
1620 **ALDER TISHLER:** Yeah. I just wanted to ask, I've been reading Professor Norman's
1621 talking about there's no assurance for eventual failure. I guess my question is, you
1622 know, you're talking about the retention underground ponds, I guess, or . . .

1623
1624 **WESTERN:** Underground tanks . . .

1625
1626 **ALDER TISHLER:** . . . holding tanks . . .

1627
1628 **WESTERN:** Underground depression(?) tanks, yes.

1629
1630 **ALDER TISHLER:** So that's, you're saying that that's going to be pushing the
1631 groundwater level up, which is going to create more flooding. And I guess my question,
1632 we're dealing with a lot of, right now we're installing a lot of larger culverts throughout
1633 the city to move the water through. And I guess I'm wondering, you know, can you talk
1634 about not only, you know, how the water, raising the groundwater level, but also, where
1635 is the water going? And is this area, you know, does this area have the adequate
1636 culverts to move water through?

1637
1638 [03:33:17]

1639 **WESTERN:** I can mention, talk about that a little bit here. You know, on this property,
1640 there's two places where you can, where they can discharge water. One is, on
1641 Spyglass, there's a culvert, but they'd have to go through the Umbeck's yard and just
1642 dig it all up and put in a large culvert, probably 30 inches, I would expect.

1643 The other, there's another location right on Old Sauk, that they could tie into
1644 there as well. Those are both 18 inches, and it would be more work that would have to
1645 be done than just tying into those. You would have to expand on that so you could get
1646 water through those in an efficient way so we don't flood the area. If there is a, if there
1647 would be a heavy rain and a super flood like 2018, that would be, right now, with the
1648 proposed plan that Stone House has, that would be disastrous for us. We couldn't take
1649 it. All of us would be flooded out.

1650 The part here, if we did this correctly and we tie into those storm water system
1651 that exist, now we have a chance to disperse that water, you know, to the appropriate
1652 locations without having flooding. This whole area has flooding issues. I mean, if you
1653 look at the maps, watershed maps, this whole area needs some correction. And I know
1654 that the City has said, we just don't have money to do this. But it's really critical that we
1655 do do it, and the sooner the better, is to take that time and to pause, to say, let's just
1656 look at the watershed here.

1657 Let's take this, and let's find a solution that's going to meet the entire west side
1658 area and make it something that's workable for the entire community. I think it would be
1659 in our city's best interest. I mean, let's think if we build this, and five years from now, we
1660 have this major flood, and all of us are flooded out. I mean, you have to think that that
1661 is a possibility right now.

1662 I don't think there's anyone going to say, I'm 100% sure what we're proposing is
1663 not going to flood. It's not going to flood us out. I know the city, the city engineers
1664 would not say that. No one would guarantee it. And I'd like to see Stone House say
1665 that to us, say, hey, this, 100%, I guarantee you it won't flood. They can't. And if they
1666 do, they're not being honest. Did I answer your question, Alder?

1667
1668 **ALDER TISHLER:** Yes, that helps. I guess, I don't know, Mayor, is it possible to ask
1669 Stone House another follow-up question on that or . . .

1670
1671 [03:36:06]

1672 **MAYOR RHODES-CONWAY:** Yes, Alder. Let me, I'll add you to the queue. Let's see,
1673 Alder Wehelie has a question for this registrant.

1674
1675 **ALDER WEHELIE:** Thank you. So we have heard from a couple of residents today
1676 saying that their voices are not heard. And they prefer to refer(?) the storm water
1677 review plan so that it can be, you know, taken more, bring in wider stakeholders to the
1678 communication. And you talked a little bit about it. But can you elaborate, if we, if the
1679 item is referred, and we have this stakeholder meeting, and we accommodate our
1680 residents' voice to be heard, what that looks like? Can you talk about more about . . .

1681
1682 **WESTERN:** Here's what we have. I have an engineer that's expert on this subject,
1683 Chuck Mann(?). He has provided many comments to the City. He's done a total review
1684 of what Stone House did. You can see all of them. He spent hours and hours of work.

1685 How I would see this is we get together. We would bring Professor Norman. I would
1686 bring Chuck Mann. We can bring all the Wyser engineers. We talk about this. We talk
1687 about this, and we may need to get another, we bring the City in, of course, and then we
1688 talk about it, and we talk about solutions, how we can work through this.

1689 And then what we could do, if we need other experts to come in to give us
1690 advice, we would. I think this is an area that we really do need expert advice on. So
1691 that's how I see it. It would be a communication. How do we make this work? What
1692 changes do we need to make to make this, make everybody comfortable? And that we
1693 have a solution that's going to be 100%.

1694
1695 **ALDER WEHELIE:** Can I ask a follow-up? Could you talk too about like what timeline
1696 that would look like? Is it in months, weeks?

1697
1698 **WESTERN:** I think this can be done, I think, in one month, if we were given the
1699 timeframe to be able to sit down and talk about this. We could have a very good
1700 strategy on how this should proceed ahead. I think it would take, it would take about
1701 three or four meetings to come up with a strategy that could be workable.

1702 Again, everybody has to be honest at the table. And trust me, I'll be honest at
1703 the table. I'm not one to hold and say, you know, I don't like this. As an engineer, I
1704 want something that's workable.

1705
1706 **ALDER WEHELIE:** And my final question is, you know, there are some concerns about
1707 the storm water, but also the height also. How can you balance those two? If, you
1708 know, if the, if we can mitigate the storm water issues, we can't change the height of
1709 the, you know, the apartments . . .

1710
1711 [03:39:00]

1712 **WESTERN:** . . . professional opinion right now, the building needs to have a smaller
1713 footprint. I've done my own design on this, by the way. I did my own design, and I have
1714 a concept that would work. But the building has to become smaller footprint. Now what
1715 does that mean? If it's a smaller footprint, then you have to see, you know, how you
1716 want to deal with it. But it has to be significantly smaller on the edges so that the water
1717 can flow better, that we got more greenery for the water to run through and slow it
1718 down, etc. So that's, you know, that's really an important part of this, is the building
1719 needs to be just slightly smaller. The house is pretty large.

1720
1721 **ALDER WEHELIE:** Yeah, thank you.

1722
1723 **MAYOR RHODES-CONWAY:** Thank you. Alder Madison, is it a question for this
1724 registrant?

1725
1726 **ALDER MADISON:** No, Mayor, different registrant.

1727
1728 **MAYOR RHODES-CONWAY:** Okay, thank you. Alder Bennett, is it a question for this
1729 registrant?

1730

1731 **ALDER BENNETT:** No.
1732
1733 **MAYOR RHODES-CONWAY:** Okay. Thank you, sir. All right. Then Alder Madison
1734 was next.
1735
1736 **ALDER MADISON:** Thank you, Mayor. I just have, if Rachel, I believe her last name is
1737 Robillard, if she's still there?
1738
1739 **MAYOR RHODES-CONWAY:** Do we still have Rachel?
1740
1741 **ROBILLARD:** Yes, I am, if you can hear me.
1742
1743 **MAYOR RHODES-CONWAY:** We can. Go ahead, Alder.
1744
1745 **ALDER MADISON:** Thank you, Mayor. I just wanted to ask a quick question about a
1746 note in your comments. You mentioned this project may be able to improve on this
1747 storm water situation. Are you able at all to expand on that?
1748
1749 **ROBILLARD:** You know, I'll be honest here, the storm water management is not my
1750 area of expertise. But I did, you know, speak with somebody who has more experience
1751 in developing these lots. And, you know, my concern is that right now, there isn't any
1752 additional management on this property and that we already have a lot of flooding
1753 issues. I think that a development coming in and it being thoughtful about how the
1754 storm water management is done has the potential to have an overall improvement for
1755 everyone.
1756 You know, I read the comments from Dr. Norman and the other experts that were
1757 brought in. I don't have that background to judge those. You know, but I was, I agree
1758 with the gentleman that was speaking before, that, you know, I think there are a lot of
1759 experts and expertise that can be drawn on from this project and can be taken a look at.
1760 I think one of the things too is that the storm water plan is not usually a part of the
1761 process at this point. You know, my comment is that I think there is a lot more work to
1762 be done to make sure that this plan is manageable and will work for everyone.
1763 [03:42:00]
1764 So I do anticipate that, I anticipate there's going to be a lot more to be done in
1765 this plan and that, hopefully, we can take advantage of all the expertise that is available.
1766 So I do think, though, that doing something versus leaving this unimproved land is going
1767 to be beneficial in the long run.
1768
1769 **ALDER MADISON:** Thank you.
1770
1771 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Tishler, you had a question for
1772 the development team?
1773
1774 **ALDER TISHLER:** Yes, I do, yeah. I was wondering if they could answer the question,
1775 if they can provide 100% assurance that their storm water plan will not exacerbate the
1776 flooding issues in the area? And then kind of a follow-up to that is, do they see any

1777 problem with drawing from the collective experience from speakers here and also from
1778 the expertise that's here in Madison that have been putting forth with plans? I mean, to
1779 just make sure that we are not, you know, compounding the problem in a known area
1780 that has flooding problems.

1781
1782 **MAYOR RHODES-CONWAY:** Helen, do you want to take that or pass it to somebody
1783 else?

1784
1785 **BRADBURY:** Yeah. Can I start and then pass it to, we have Wade Wyse. He's the
1786 engineer that's been working with us on this and with the City, and I believe the City
1787 staff is probably there as well.

1788 So let me just say that we have read the reports that the City had, that the
1789 neighbors have commissioned. Our engineer has studied the reports that the neighbors
1790 have written. What's said that's true is that the storm water plan is not complete. I think
1791 the estimate was that it's 90% complete. But neither the City nor our engineer is going
1792 to be able to finish getting a building permit or anything like that until it's completed and I
1793 have every trust that it's not going to make matters worse, that, in fact, it's going to
1794 improve things. So can we ask Wade to comment?

1795
1796 **MAYOR RHODES-CONWAY:** Yep. Wade, go ahead.

1797
1798 **WYSE:** Yes. If everyone can hear me, thank you for the opportunity. Wade Wyse,
1799 Wyser Engineering, we prepared the storm water management plan for the project. I
1800 think the important thing to elaborate on is, in your typical process, the storm water
1801 would be a condition of approval, as approved by City staff. And I think that's still
1802 applicable here.

1803 But I think what's important to note is that we have gone through the extra effort
1804 ahead of that broad-base comment to prepare a storm water management plan, to
1805 prepare a couple round of comment responses to the consulting engineers hired by the
1806 neighborhood, and to go through this process of getting to 90% of the way there,
1807 leaving us this 10% flexibility to work back and forth and close out this permit. That's
1808 above and beyond what is typical.

1809 [03:45:02]

1810 As far as the flooding concern, there's a couple points I want to make. The City
1811 has rules. The City has great rules as it relates to storm water. With our project, there
1812 are rules, and there are, I'll use the term, rules-plus. There are rules that we have to
1813 meet as typical. The rules-plus would apply because we do not have an adjacent storm
1814 sewer to immediately discharge to. So we have the rules, plus additional requirements.

1815 On top of that, we have the rules-plus-plus, which are, the second plus would be
1816 unintended detention, it's called. And the way the site functions now and acts as a
1817 pseudo detention basin for overtopping Old Sauk Road. So in this proposal that we
1818 have in front of you, we have designed to the rules that you typically see. The rules-
1819 plus for no adjacent storm water discharge, and rules-plus-plus in that there's
1820 unintended detention that we are also accounting for in our proposal in front of you.

1821 So I think with that, it's been a very robust plan. We have listened to the
1822 neighborhood. We have gone above and beyond. We have worked back and forth,

1823 and we are willing to continue to work back and forth to close this last 10%. But in
1824 tradition with all other projects, you should also lean on City staff because they're very
1825 qualified and have done a great job to this point mediating the back-and-forth and
1826 providing a response to the City.

1827 Last point I'll make is that our development, as proposed, is roughly 56%, 57%
1828 impervious. If you were to say the green roofs did not count, you would be around 60%,
1829 just over 60% impervious. Under the current zoning, the allotment for impervious is
1830 50%. And if the current zoning were to stay intact and there was a commercial use
1831 involved, it can escalate to 60%. So our percent impervious is consistent with what the
1832 neighbors are able to do on their parcels in the same district.

1833
1834 **MAYOR RHODES-CONWAY:** Thank you. Alder Tishler?

1835
1836 **ALDER TISHLER:** Yeah. So the issue is that when the property was purchased,
1837 knowingly, they did not have access to a discharge to the storm water, and that's why
1838 you have to build the retention ponds, is that correct?

1839
1840 **WYSE:** The retention ponds are a tool we can use, right? The underground storage is
1841 a tool we can use. There are requirements in place to make sure the [inaudible] of
1842 water is more than the typical ordinance requirements. The most traditional way of
1843 doing that is through infiltration. That's what we're proposing with our open [inaudible]
1844 underground storm water system.

1845
1846 **ALDER TISHLER:** Right. But I'm just reading our City staff [inaudible] I mean, I'll
1847 maybe have the opportunity to ask him, but that's, I guess it's partly untested? This is
1848 not fully, so I mean, is that true?

1849
1850 [03:48:08]

1851 **WYSE:** I would suggest there are multiple projects that we have designed, and others
1852 that have designed, using underground storage system throughout the city. This is a
1853 practice that's used often.

1854
1855 **ALDER TISHLER:** Right. But on a site this small? I mean, have you done this before
1856 on a three-acre site, or do you have much larger space to work with in other areas?

1857
1858 **WYSE:** The most common application of underground storage is in a very urban setting
1859 where real estate is very expensive. And we have done it in the city down on East
1860 Washington Corridor. We have also done it in a 60-acre residential subdivision in the
1861 city of Fitchburg back in 2014, still functioning.

1862
1863 **MAYOR RHODES-CONWAY:** Thank you, Alder.

1864
1865 **ALDER TISHLER:** Thank you.

1866
1867 **MAYOR RHODES-CONWAY:** Alder Bennett, more questions?

1868

1869 **ALDER BENNETT:** It would be for Wade. And I just, I'm not a storm water expert, and
1870 so like can you explain it to me like I'm five years old, how this would help storm water
1871 be better?

1872
1873 **MAYOR RHODES-CONWAY:** Wade?

1874
1875 **WYSE:** Yeah. So I'll try, and stop me at any point. So storm water on this site, you
1876 know, there's three things with storm water. We have to slow it down, we have to clean
1877 it, and then we have to infiltrate it. Those are the base rules that the City requires. So
1878 in our application, water hits the surface of the roof, or hits the surface of the pavement,
1879 and at that point, it's conveyed and collected in our underground system.

1880 Which, basically, think of it as big, giant pipes that are cut off on the bottom, and
1881 they sit on a stone bed. And these big, giant pipes, they fill up with water, no different
1882 than your kitchen sink would if the plug was in. And when it fills up with water, it
1883 eventually hits that elevation where the water would flow out, you know, in emergency
1884 or a storm sewer discharge of that system and go downstream.

1885 With the volume of water that we have to hold, or the amount of these pipes, it's
1886 a function of the rules. And what we have for onsite soils and the intensity of the
1887 rainfall, and we take all this water, and we create a system where we have volume and
1888 surface area to infiltrate. And with those rules, we've set that at these rules-plus-plus,
1889 as I described before.

1890 We could always make this system bigger. There is more room to make it
1891 bigger. If there is a discussion back and forth on the infiltration rate in the soils, we can,
1892 again, make the surface area bigger. What we've done right now is we've met the rules
1893 and rules-plus-plus to show that we've mitigated all these concerns as it relates to
1894 addressing the ordinance.

1895
1896 **ALDER BENNETT:** Okay, cool. I think I got it, less big words that I didn't understand.
1897 So thank you. And then I have a question too for Helen. And, no, I'm not trying to drag
1898 this out. But I just wanted to understand, from your perspective, like there's several
1899 residents here that's felt like their voices and concerns weren't heard by the developer.
1900 So can you tell us more about like the neighborhood meetings that you had and the
1901 engagement that you had with residents?

1902
1903 [03:51:28]

1904 **BRADBURY:** Yeah. Our first neighborhood meeting was back in October. And maybe
1905 I should go back further than that. When we looked at the site, with the land-use
1906 category that it was in, we could have gotten 30 to 70 units, so that would have been
1907 the 210 units that people have talked about. And that, in our opinion, was too big, too
1908 big for the site, too big for management. So we settled on the 4-story, 175-unit
1909 property. We did not go in there thinking that they're going to shoot that down, let's see
1910 what we can get away with. That's not how Stone House has ever operated in 26
1911 years.

1912 So at any rate, so we went in with a four-story building, and, yes, it is the same
1913 footprint, and 175 units. They were concerned about the height, and they were
1914 concerned about parking. Our parking ratio at the time was 1:1. That neighborhood

1915 meeting was attended virtually. Tim Parks was the City Planner. Over 243 registrants, I
1916 believe, so it was well attended, and it went very late.

1917 We came back, in between that meeting and our second meeting, I believe, and,
1918 Alder Guequierre can check me on this, we received, I believe, 56 questions, written
1919 questions, from one of the neighbors, saying that he represented all the questions that
1920 the neighbors had. Between Tim Parks and the City staff and Stone House and Wade,
1921 we answered those questions.

1922 We then had our second meeting, where we went in with the smaller height and
1923 the smaller footprint, and more parking. And then subsequent to that, I believe we
1924 received additional questions from the neighbors that took hours and hours to answer. I
1925 am not aware, I believe it was Mr. Peterson(?) who said he asked to meet with us. I've
1926 asked my staff just now, and I'm not aware that that request was ever made to us, to
1927 Stone House. And I can't speak for the City. But had that request been made, we
1928 would have met. But we did take their experts, Professor Norman and their consultant,
1929 and went through it point by point with Wade.

1930 [03:54:05]

1931 So I think it's a little disingenuous to say that we weren't responsive. We tried to
1932 be. But we heard mixed messages. Some people thought, just do 30 units an acre.
1933 That would be 114 units. Well, that was in opposition to other neighbors saying all they
1934 wanted was townhouses and what they kept calling the missing middle. So it didn't
1935 seem that we were going to be able to bridge the gap between what we felt was
1936 possible and what they desired. So we tried. I guess that's all I can say.

1937
1938 **ALDER BENNETT:** Thank you, that's it. I appreciate it.

1939
1940 **MAYOR RHODES-CONWAY:** Thank you. Alder Latimer-Burris, additional questions?

1941
1942 **ALDER LATIMER-BURRIS:** Sure. I just wanted to ask the engineer a question about,
1943 following up on Alder Bennett's question about, meeting the ordinance or meeting the
1944 rules. So I wanted to ask you, is our ordinance or our rules enough, is the first question
1945 that popped into my mind as you were talking? I know it's not your problem. You don't
1946 set them. You don't set the rules.

1947 But it's like the [inaudible] situation. You know, it was never a problem with the
1948 parts per trillion, you know, with how much was in the water, because there was no
1949 standard. So you could honestly say it's not a problem because there's no
1950 measurement. So I'm wondering, with this project, is their ordinance or rules enough?

1951
1952 **MAYOR RHODES-CONWAY:** Wade?

1953
1954 **WYSE:** Yeah. So I will say, you know, we do a greater majority of our work as Dane
1955 County area. But we do work in the Milwaukee area and throughout the state of
1956 Wisconsin. And I would say the City of Madison's rules are very robust. I would say on
1957 this project, they are robust and then probably as stringent as any rules of any storm
1958 water report that we've written because of the storm [inaudible] discharge and because
1959 of the unintended detention that exists currently on the site.

1960 So, you know, you have to set rules. You have to set them high enough that
1961 development can still happen and still protect the downstream properties. But the rules
1962 on this project and the rules in the city are very robust compared to statewide initiatives.
1963

1964 **Vote and Discussion, 05:51:00-06:59:16**

1965
1966 [05:51:01]

1967 **MAYOR RHODES-CONWAY:** That will take us to item 13. Item 13 is Legistar 83477,
1968 a substitute creating sections in the Madison General Ordinances to change the zoning
1969 of property located at 6610-6706 Old Sauk Road. If it is the will of the body, we could
1970 take up items 13 and 49 at the same time. Seeing no objection to that, we'll take up
1971 items 13 and 49 at the same time. Item 49 is Legistar file 82979, approving a certified
1972 survey map of property owned by Stone House Development, Incorporated, located at
1973 6610-6706 Old Sauk Road. On items 13 and 49, President Figueroa-Cole, a motion,
1974 please.

1975
1976 **ALDER FIGUEROA-COLE:** Move to adopt.

1977
1978 **MAN:** Second.

1979
1980 **MAYOR RHODES-CONWAY:** Moved and seconded to adopt the items. One items 13
1981 and 49, are there questions for staff? Alder Gueguierre.

1982
1983 **ALDER GUEGUIERRE:** Yes. There's been much discussion from the registrants
1984 tonight about the issue of storm water management and how that will be handled. I
1985 think it's important to note that we just unanimously approved a very huge building for
1986 which the storm water management plan has not been developed at all but is a
1987 requirement of the, recommended requirement for an eventual conditional use permit.

1988 I'd like to ask staff, especially if we still have available a representative from
1989 Storm Water Engineering just to educate us, remind us how the process would work
1990 from here, given that we've perhaps got something approaching a 90% storm water
1991 permit but not a complete one. That still needs to be completed to satisfy the ultimate
1992 condition. Could you take us through that, please.

1993
1994 **MAYOR RHODES-CONWAY:** Thank you, Alder. We have both City Attorney Jim
1995 Wolfe and Assistant City, City Attorney, oh, my God, I'm sorry, folks. We have City
1996 Engineer Jim Wolfe and Assistant City Engineer Greg Fries here.

1997
1998 **WOLFE:** I think Greg is probably the best person to speak to that question.

1999
2000 **ALDER GUEGUIERRE:** Yes, that would be great if Greg could respond to that.

2001
2002 **FRIES:** Yeah. So good evening, everybody, or I guess, actually, morning. So, boy, my
2003 light is terrible here. Give me one second. There we go, that's better. Okay. So the
2004 way this process would work 95% of the time would be for a plan approval to go through
2005 both Plan Commission and the Common Council with compliance with Chapter 37,

2006 which is the storm water ordinance, as a condition of approval. And staff would work
2007 with the developer to meet those conditions.

2008 [05:54:19]

2009 I would point out one slight difference between this and the Starkweather project
2010 that both have similar conditions. The Starkweather plat has access to Starkweather
2011 Creek, a point to discharge, where this development on Old Sauk Road has no public
2012 storm sewer to discharge to. So they are discharging where the city has no easement
2013 onto adjacent private property. So that complicates their storm water management, as I
2014 believe Wade Wyse referred to. I can't remember what he called it, storm water stage
2015 1, stage 2, stage 3, I believe is how he referred to that in his presentation. So they are
2016 slightly different. But the approach normally would be the same.

2017
2018 **ALDER GUEGUIERRE:** Thank you, Greg. In arriving at, or in satisfying meeting the
2019 conditions that are likely to be in a conditional use permit regarding storm water, is it
2020 conceivable that there could be a continuation of the kind of suggested collaboration
2021 that we had here this evening with the third-party engineers that already have some
2022 familiarity with this?

2023
2024 **FRIES:** That would be unusual, although, in fairness, this entire process for this site
2025 has been unusual. It is rare to have a third-party engineer. It's not so rare to have a
2026 third-party engineer that is impacted by the site, as is the case for the two people on this
2027 site, on the road where this discharges to, but it is a little bit rare that the group would
2028 hire a third-party engineer to review and provide comments ahead of time.

2029 Certainly, we will work through those comments, and we take them seriously.
2030 And I do want to point out, though, that some of the concerns that were brought up
2031 tonight are not addressed by ordinance. So it is possible for the applicant to address
2032 my concerns, which, and my concerns are those that I have jurisdiction to review under
2033 Chapter 37, and not address the concerns of the neighborhood.

2034
2035 **ALDER GUEGUIERRE:** Thank you.

2036
2037 [05:57:00]

2038 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Vidaver, questions?

2039
2040 **ALDER VIDAVER:** Yeah. There was reference in the public comments to the
2041 watershed studies, and I was desperately trying to figure out which watershed it is that's
2042 relevant. And what I was finding is it looked like the one that was relevant actually is
2043 done. Can you just help us walk through that?

2044
2045 **FRIES:** Yeah. I actually can't remember what this one is called, off the top of my head.
2046 But it is done. This area, as a whole, drains to Stricker's Pond, which then drains to
2047 Tiedeman's Pond in Middleton, and then is lifted with a pump system to Lake Mendota
2048 by the city of Middleton. That's how this system works. And this area does currently
2049 flood. So the Old Sauk Road, there's an enclosed depression(?). I can share my
2050 screen if you want. I have a map up.

2051 But it, currently, there's a low point in Old Sauk Road that actually floods onto
2052 this property. Wade referred to it as unintended detention, which is how the ordinance
2053 calls it. And then it floods through and between two property owners' homes to the cul-
2054 de-sac. And my brain is locking up. I can't remember the name of the cul-de-sac, off
2055 the top of my head, Spyglass, there we go. And so we have, while we have a sanitary
2056 easement between those homes, we do not have a storm sewer easement. It's a little
2057 bit complicated, the lot history there.

2058 But the space between those two homes, at one point, was going to be an outlot.
2059 And at some point, you know, when this area was originally platted back, presumably, in
2060 the '70s, that outlot was not, was sold to private property owner that is one of those two
2061 property owners that is at the end of the cul-de-sac. So it looks, when you look at it, like
2062 that outlot was intended to be sidewalk at some point and a storm sanitary easement,
2063 but that is not what got built. So there is a sanitary easement but no storm [inaudible].
2064

2065 **ALDER VIDAVER:** Okay. So then what is the process then? So, obviously, right, the
2066 building, they have to submit all their plans. You said that, you know, what you're trying
2067 to accomplish isn't necessarily everything that the residents want, but understanding
2068 that, right, we don't want to build something that is going to impact, adversely impact the
2069 other residents' homes worse than they are now. How do we make that happen?
2070

2071 [06:00:10]

2072 **FRIES:** So I don't have a great answer for that. I should be more specific about what
2073 the issues are that I don't think will be addressed by Chapter 37. And that is largely,
2074 you heard several residents talk about sump pumps in their basement and groundwater.
2075 And you also heard Wade talk about, you know, that they're infiltrating, plan to infiltrate
2076 a great deal of water and that then the residents, you know, brought up concern that
2077 that would make their already-existing wet basements wetter, potentially.

2078 Chapter 37 does not address groundwater. I'm not aware of any state, local,
2079 county, any regulations that address where water goes once you put it into the ground.
2080 So that is specifically the thing I was referring to, that we are not going to, we being
2081 engineering, would not address with our review.

2082 And in fairness, it is, trying to figure out that answer is exceedingly complicated,
2083 well outside of my range of expertise. Generally, a hydrogeologist would be brought in
2084 to do something like that. And it takes quite some time. You put in monitoring wells.
2085 You have to monitor flow. Sometimes dye is used. Again, I've actually never seen that
2086 done in a development situation. It is done, but I've never actually been part of that,
2087 except way back in my grad school days, so.

2088
2089 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Harrington-McKinney,
2090 questions?
2091

2092 **ALDER HARRINGTON-MCKINNEY:** Yes. Greg, it is so good to see you. And let me
2093 just say this. And the reason that I really weighed in on the storm water is because you
2094 walked, our staff walked through this process with me during the 2018 flood. And when
2095 residents called, because, you know, there was water in their basement, water in their
2096 backyard, you showed up, and you listened to them.

2097 And so what I'm understanding is that that is what's missing in this piece is that
2098 there was a feeling that they were not heard or listened to. And it was your experience,
2099 I know that one of my residents called. I mean, she had no problem in calling at 2:00
2100 and 3:00 in the morning, and literally, you know, there were times that, you know, just
2101 the fact that we heard her and we addressed those, it wasn't exactly what she wanted,
2102 but the fact that she felt listened to, and that was critical.

2103 [06:03:23]

2104 And so what I've heard tonight is that the community did not feel listened to. And
2105 one of the suggestions that was asked, you know, what would be the time period for
2106 that table, listening discussion to happen? And someone said, a month or two months.
2107 I mean, it's a short period of time. And so my ask, because I don't know. You are
2108 absolutely the expert. And I know that when it happened in my district, the fact that you
2109 were willing to sit at the table with those persons who were involved and listen, I mean,
2110 the outcome was the outcome in terms of your . . .

2111

2112 **MAYOR RHODES-CONWAY:** Alder, a question?

2113

2114 **ALDER HARRINGTON-MCKINNEY:** Yeah, there's a, that's my question is, would you
2115 be willing to sit at the table? When I say sit at the table, I mean, to really bring in that
2116 table discussion that one of the residents asked for, to sit at the table and have that kind
2117 of conversation, and have Stone House and you, the staff, and representatives come
2118 and have that conversation. That is my ask. That's my question.

2119

2120 **FRIES:** Well, I think I'm, so I think engineering generally does that as much as we can.
2121 I do want to say, though, that I, while I'm happy to sit down with, you know, Wade and, I
2122 know all the people involved here, or at least have heard of them in terms of the
2123 professor at UW. But the engineer they hired, Chuck Mann(?), I've worked with for my
2124 entire career. Wade I've worked with for, you know, the last 10, 15 years. So I know
2125 the people who are doing the work. We can certainly work together and sit down and
2126 do this.

2127 But I do want to be clear, I don't have any authority to address some of the
2128 concerns that the neighborhood brought up. So while I can sit down, and we can work
2129 with them, I can't, I don't, the ordinance doesn't give me authority to do more, you know.
2130 As I said, and I wrote a memo, that some of you may have seen, to the Planning
2131 Commission, kind of stating where they are. And Wade correctly referred to this as
2132 about a 90% storm water management plan. That's what I said in the memo.

2133 They have some things to do in terms of overflow and how the residents
2134 mentioned how they are going to open up that soil and maintain that open soil that they
2135 plan to amend. Those things have to be addressed to meet Chapter 37 to meet that
2136 bar.

2137 [06:06:06]

2138 The residents are asking, I think, for some other stuff, and I'm happy to meet with
2139 everybody. But my authority is somewhat limited with regard to asking for, I'll say,
2140 more. I just wanted to be clear.

2141

2142 **ALDER HARRINGTON-MCKINNEY:** I'm clear on that. And so I'm not asking you to go
2143 beyond what's in Chapter 37 and what you can do. That's not what my ask was. My
2144 ask was, would you be willing to sit at the table with those individuals from Stone
2145 House, those individuals from the community, and have that session, that listening
2146 conversation and exchange? That's all I'm asking for. That's a thumbs-up, thank you.
2147 How do we get to that point? I mean, Madam Mayor, how do we move this item to that
2148 point, with that thumbs-up? You give me instructions? What do I do?

2149
2150 **MAYOR RHODES-CONWAY:** I mean, I think it depends on if you want to codify it or
2151 not. If you're willing to hear from staff that they're going to do that, then you don't need
2152 to do anything more. If you want to codify it, I would suggest you work with the City
2153 Attorney to figure out. I'm not familiar enough with the underlying documents to be able
2154 to guide you here.

2155
2156 **ALDER HARRINGTON-MCKINNEY:** Okay. So this is before us, and I don't want it to
2157 be passed before I have that conversation with the, and ask for, because I want to do it
2158 right, and I don't know how to do it right. That's why I'm asking.

2159
2160 **MAYOR RHODES-CONWAY:** So, Alder, I can't guide you. I don't have the, I don't
2161 have the resolutions in front of me. So you'd have to talk to the City Attorney. We're
2162 still in questions for staff though, so we haven't even begun discussion. Thank you,
2163 Alder. Vice President Duncan?

2164
2165 **VICE PRESIDENT DUNCAN:** Thank you, Mayor. I just have a question. So when we
2166 are looking at this tonight, determining whether or not we are passing this, we are only
2167 able to look at the storm management process from what the City has purview to
2168 review. And so I understand, listening to what Greg was saying, there are other pieces
2169 that the residents are wanting addressed. But at the end of the day, whether it's this
2170 project, whether it's a smaller-size project on that property, when we are looking to
2171 approve, it's only with what we have purview to approve, correct?

2172
2173 **MAYOR RHODES-CONWAY:** Alder, I'm going to try, because the City Attorney is in a
2174 side bar. The, yes, the standards that you are operating under are what is in the
2175 ordinances. And I don't think that you can exceed that. And I'm going slowly because
2176 perhaps Attorney Smith has a different opinion. But I think that you have to be guided
2177 by the ordinances. But Attorney Smith perhaps wants to say more.

2178
2179 [06:09:30]

2180 **SMITH:** Thanks, Madam Mayor. I was just going to, Vice President Duncan, you're
2181 correct. And the storm water drainage issue is not relevant to either of the things that
2182 you have before you and in front of you today, right? You have a rezoning, which is a
2183 map amendment. You have a CSM. It would be, in my opinion, unlawful to use the lack
2184 or 90%, or whatever it is, of the storm water management plan to be the basis for your
2185 vote for either of those items.

2186
2187 **VICE PRESIDENT DUNCAN:** Thank you, Attorney.

2188
2189 **MAYOR RHODES-CONWAY:** Thank you, Attorney Smith. So but just to be clear,
2190 there is a condition of approval after the Council acts that staff need to clear regarding
2191 storm water management plans. That's included in the motion is that condition of
2192 approval. And if, separately, the Alder, staff, whoever, wanted to facilitate a process
2193 around a conversation of any of those conditions of approval, that would be acceptable.
2194 Until an attorney says no, we're going to take that as true. Okay. Thank you, Vice
2195 President Duncan. Alder Rummel, questions?
2196

2197 **ALDER RUMMEL:** Thank you, Mayor. I just, one way, I guess I'll follow up on the
2198 storm weather, storm water, whatever it is. It's pretty much part of the conditional use
2199 process, which we're not looking at. And I think that's kind of what the attorney was
2200 saying. It's like that's something that's in a different thing. Staff was the final, you
2201 know, that 10% is, so I think that's what just my view of what the answer is to the
2202 question that was asked before.

2203 My question is totally different. Thank you, Greg, nice to see you. But it's more
2204 like, could staff help us understand this rezoning? Like I think there's like this big angst
2205 and disconnect with the TRU2(?) zoning and how it fits kind of the neighborhood
2206 character. And if Kevin or Bill can walk us through that. You know, some of the public
2207 comments, the written comments called it like high density, and so could you also talk
2208 about, you know, the low, medium or the comp plan part of it.
2209

2210 [06:12:05]

2211 **MAYOR RHODES-CONWAY:** Alder, I'm just ask that no other Alders leave the room,
2212 Alder Knox. Okay, thank you. Sorry, Alder, who's that a question for?
2213

2214 **ALDER RUMMEL:** I think Kevin is smiling like he could answer.
2215

2216 **KEVIN:** I will try. I didn't know if Bill wanted to jump in. But Bill can add if there's
2217 anything. So as far as the rezoning question here, first, I would just point to, a lot of this
2218 information is in the staff report, so I'll do my best to summarize some of the rezoning
2219 and plan consistency analysis.

2220 And the underlying plan recommendation here is LMR, or low, medium
2221 residential. And at its base level, without any of the additional language, low, medium
2222 residential would recommend up to a 3-story building and up to 30 units an acre. So
2223 that's the base plan recommendation.

2224 From there, and it was mentioned during the public hearing testimony tonight,
2225 there is a note in the plan that in select conditions, additional intensity and density could
2226 be allowed, up to 4 stories and 70 units an acre. So it just, as a reference point again,
2227 this project, at 138 units, has a calculated density of 36.6 units an acre, and it's a 3-
2228 story building.

2229 Now the factors to consider, there's four, and I'm just going to note these here.
2230 The select conditions in which additional intensity or density could be considered
2231 consistent, it includes relationships between proposed buildings and their surroundings,
2232 natural features, lot and block, characteristics, and access to urban services, transit,
2233 arterial streets, parks, and amenities. So if the Council were to find that it met those,

2234 based on those factors, it could find that the additional density, up to 70 units an acre
2235 and 4 stories, would be consistent.

2236 So then your, the other part of your question is the TRU2 zoning district and as
2237 far as how that relates. And as noted in the staff report, the TRU2 zoning district is the
2238 least-intensive zoning district that would allow the project as proposed. And that largely
2239 has to do with the usable open space requirements in the zoning code. So the TRU1
2240 district has a higher open space requirement. So TRU2 would be the least-intensive
2241 conventional district that would be allowed.

2242
2243 **ALDER RUMMEL:** Thank you. I . . .

2244
2245 **KEVIN:** To implement the proposal. And it would, I guess to, and to be very clear, and
2246 it's, again, noted in the staff report, it would allow also, the TRU2 would allow that
2247 development, but it would allow development that's also more intensive.

2248
2249 [06:15:06]

2250 **ALDER RUMMEL:** And so in the staff report, there is comments saying like, you know,
2251 the acknowledgement that the scaling mass of this proposed building will be unlike the
2252 residential buildings and surrounding area. But it also kind of leaves open the possibility
2253 that this is maybe the front end of a transition and, or maybe not so much this
2254 immediate block, but just the whole corridor. Can you talk a little bit about that?

2255 Like the growth map talks about, you know, the comp plan growth map does
2256 have Old Sauk Road as, you know, with two points on it, one at Gammon and one, I
2257 guess, at Rosa Road. And so this is in between there. Can you help us see how the
2258 future is going to, you know, unfold?

2259
2260 **KEVIN:** Sure. Well, and I would first speak to the . . .

2261
2262 **ALDER RUMMEL:** Not predicted but . . .

2263
2264 **KEVIN:** Sure. And I would just note that the corridor itself is comprised of several
2265 different land use recommendations, so, you know, different points of Old Sauk Road
2266 are going to have different recommendations. Some are going to be LMR. Some are
2267 other recommendations. And, again, whether not it's going to be the LMR, the base
2268 LMR, again, the 3-story, 30 units an acre version that, again, would be less intensive, or
2269 the one that if it was found, a site would also still have to be found to be appropriate
2270 based on those special, or I'm sorry, those select conditions.

2271 So it's going to vary, and it's going to vary significantly based on what the
2272 underlying land use recommendation. At this point, you know, the recommendations we
2273 have right now are the comprehensive plan. If the, if there are additional
2274 recommendations that are adopted as part of the special area plan process, you know,
2275 those would provide additional guidance. And that process is obviously ongoing at this
2276 time.

2277
2278 **ALDER RUMMEL:** Is there, like what's the timeline for like a subarea plan for this
2279 area? Is it, is that on the list, you know, like . . .

2280
2281 **KEVIN:** This one is underway. This is the west area plan, which is underway right now.
2282
2283 **ALDER RUMMEL:** Oh, it's in the west area plan, okay. Thank you, that's all.
2284
2285 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Bennett, questions?
2286
2287 **ALDER BENNETT:** Yeah. I just had a question for Greg. And I recognize that there,
2288 that like it seems like some of the concerns fall outside of like what we are supposed to
2289 be considering today. But I just wanted to make it clear for the residents that came here
2290 today and have concerns, you know, that they don't want their basements to be flooded,
2291 and especially even more so with this. So what would your recommendation be to them
2292 to have their concerns addressed? Like what path should they go through?
2293
2294 [06:18:14]
2295 **WOLFE:** I'll hop in on this one, Alder. So I think, from the position of city engineering,
2296 we're not really in a spot to make specific recommendations and engineering decisions
2297 for individual private property owners. We certainly do acknowledge that they have
2298 some very valid concerns here. But, like Greg had mentioned, you know, we're kind of
2299 limited under ordinance to what we can review and approve and direct the applicant to
2300 do in this particular situation.
2301
2302 **ALDER BENNETT:** Okay. Thank you.
2303
2304 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Wehelie, questions?
2305
2306 **ALDER WEHELIE:** No, Madam Mayor. It was answered. Thank you.
2307
2308 **MAYOR RHODES-CONWAY:** Okay. Thank you very much. Sorry, I failed to see you
2309 put your hand down. Are there any additional questions for staff on items 13 and 49?
2310 Seeing none, the items have been moved and seconded. Is there discussion on items
2311 13 and 49? Alder Harrington-McKinney.
2312
2313 **ALDER HARRINGTON-MCKINNEY:** Am I in order to have a substitute?
2314
2315 **MAYOR RHODES-CONWAY:** You are.
2316
2317 **ALDER HARRINGTON-MCKINNEY:** Okay. And my substitute for items 13 and 49 is,
2318 refer items 13 and 49 to, when is the next Council meeting? Help me with the date. To
2319 refer items 13 and 49 to, back to the Council, and I'll get the date, and to instruct the
2320 staff, Stone House, and identified representatives from the community to meet to review
2321 storm water issues. 7-2, okay, I'll be more specific. Refer items 13, 14, excuse me,
2322 items . . .
2323
2324 **MAYOR RHODES-CONWAY:** Thirteen and 49.
2325

2326 **ALDER HARRINGTON-MCKINNEY:** . . . okay, 13 and 49 to the next Council meeting
2327 on 7-2, and that to instruct the staff, Stone House, and identified representatives from
2328 the community to meet to review storm water issues.

2329
2330 **MAYOR RHODES-CONWAY:** Thank you, Alder. That's a motion. Is there a second?

2331
2332 **WOMAN:** Second.

2333
2334 **MAYOR RHODES-CONWAY:** Moved and seconded to refer the item, both items to the
2335 July 2nd Council meeting with an instruction to staff to convene a meeting with relevant
2336 parties around storm water issues. Is there a discussion on the motion? Alder
2337 Harrington-McKinney, do you wish to speak to it?

2338
2339 [06:21:23]

2340 **ALDER HARRINGTON-MCKINNEY:** No, I think we've spoken to it in length.

2341
2342 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Gueguierre on the motion to
2343 refer?

2344
2345 **ALDER GUEGUIERRE:** Yes. I don't know if anyone else has done this, but I've read
2346 all of the storm water reports, including those from the independent engineers, several
2347 times. I've even checked some of the arithmetic to make sure it worked. I think that in
2348 two weeks, no new issues will come up that already haven't been brought up before. I
2349 think the critical things that need to be done to finish this off and to have an efficient and
2350 complete and dependable storm water management, for that matter, maintenance
2351 report, are going to come up in a different process through the conditional use permit,
2352 which is not on the agenda tonight.

2353 And it's going to take longer than two weeks to get that done properly because of
2354 the complexity of the issue. I mean, the thing that Greg has mentioned about those
2355 things that for which we do not have authority under the ordinance are with regard to the
2356 complexities of soil infiltration. But we have all that data. There's an interesting, by the
2357 way, I just, I found those reports fascinating. I really appreciated the fact that there was
2358 this intellectual jousting between very competent engineers on all sides, including City
2359 staff. And it was just fun to, intellectually, to see that process.

2360 But I think the process out there, you know, part of, I know this is complicated,
2361 but part of the uncertainty here and the reason that it's, we've got comments and
2362 speculation about what could happen is because there are things we don't know, and it
2363 will take more studies, or are not part of our authority to do.

2364 So I think we're better off for the City to move forward to where we can really
2365 address the issues here in the final development of the final proposal. That's why I
2366 asked about whether there could be any input in that process from the independent
2367 consultants. There may not be much we can do about it because we don't have
2368 authority under the ordinance, but I think that's where we're going to get it solved.

2369
2370 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Wehelie?

2371

2372 [06:24:02]

2373 **ALDER WEHELIE:** Thank you, Madam Mayor. I agree with Alder Gueguierre. And I
2374 think the reason why I agree with Alder Harrington-McKinney for referral is we have
2375 heard from so many of the residents. So two weeks might not be enough. But I'm
2376 wondering if it's okay with Alder Harrington-McKinney if she could be amenable to
2377 August or maybe July 16th. That will have at least a month to convene and hear some
2378 of the residents' concern.

2379 So if, you know, maybe just amend what Alder Harrington-McKinney amended,
2380 instead of July 2nd, to July 16th, and convene with the residents. As a City, we have
2381 obligation to hear our constituents' concerns. Even sometimes it might not be the, what
2382 the outcome might be, but at least we give them the opportunity to be heard. So I would
2383 like, if it's okay with Alder Harrington-McKinney, to push to the 16th, which will give us at
2384 least a month to convene and have this conversation with the constituents and all the
2385 stakeholders. Thank you.

2386
2387 **MAYOR RHODES-CONWAY:** Thank you. I'll remind us collectively that changing the
2388 motion requires unanimous consent of the body, or we have to dispense with the motion
2389 as made first. But it seems to me that Planner Furkau(?) would like to weigh in on this
2390 question.

2391
2392 **FURKAU:** I just wanted to note, in regards to just the CSM, there is a state requirement
2393 that the City acts on it within 90 days. And while I believe the July 2nd would be just in
2394 that 90-day window, I believe past that, we would be, we'd be past the time of when the
2395 City could act on that. And so it would be assumed to be an approval if the City didn't
2396 take an action before that. That, again, replies not to the rezoning but only the CSM.

2397
2398 **MAYOR RHODES-CONWAY:** Thank you for clarifying that. I suspected something
2399 similar was true. And if you all will recall, we have been here before where we failed to
2400 act on a CSM, and it was approved without any of the conditions that staff had put on it.
2401 The applicant kindly agreed to follow those conditions, but that's not a guarantee. So
2402 we really do need to act on the CSM within the appropriate time window. So given
2403 that . . .

2404
2405 **ALDER WEHELIE:** I [inaudible], yeah.

2406
2407 **MAYOR RHODES-CONWAY:** Thank you, Alder Wehelie. Alder Conklin, discussion?
2408

2409 **ALDER CONKLIN:** Yes, thank you, Mayor. I just ask that we do not support this and
2410 we go forward with this on, you know, we have heard from them time and time again,
2411 the residents that live there. And unfortunately, the storm water management is not in
2412 front of us today. So I ask that we stay on task and we just go ahead forward with
2413 what's in front of us today. Again, if folks feel like they have not been heard, they can
2414 reach out to the City departments and officials and us Alders.

2415 And, again, we had many, many west side, west area plan engagement sessions
2416 that people could partake in, and I ask that they took that opportunity do so, and, if not,
2417 to please reach out to us, and Alders, or the City staff to have their questions answered.

2418 And I ask that my colleagues do not support this, and let's continue to push through this
2419 and get this done. Thank you.

2420
2421 [06:27:37]

2422 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Latimer-Burris?

2423
2424 **ALDER LATIMER-BURRIS:** Yeah. And I'm always about, you know, engaging the
2425 community and not just, you know, what's it to give them two weeks to, you know, give
2426 them some, you know, satisfaction that they're being heard and they understand and
2427 things aren't going bizarre. I went in this situation with my district. We ended up pulling
2428 people together, found out that we're really all on the same page, just using different
2429 language. And it's a running theme tonight.

2430 You know, there's a lot of people that have spent a lot of time showing up tonight
2431 to say they don't feel like we engage. They feel like it's rushed. And I think there's
2432 something that we can listen to. We don't have to poo-poo them and rush through it. I'll
2433 support either way, but, I mean, I'll first support to try to give them two weeks to, for
2434 people just to have conversations.

2435
2436 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Rummel?

2437
2438 **ALDER RUMMEL:** Thank you, Mayor. While I'm sympathetic to the concerns about
2439 not feeling listened to, a referral based on storm water doesn't change anything in two
2440 weeks, as Alder Gueguierre mentioned. I mean, I think it could work really well, and
2441 everyone could come to see that. And there's still this proposal in front of us that some
2442 hundreds of people don't like. So that's, to me, the underlying issue, not the storm
2443 water, which I do believe can be resolved.

2444 And honestly, I got to say, having cisterns or whatever they're called underneath,
2445 seeing that like at this stage is so unusual. I've been on the Council since 2007. I can
2446 only tell you one time that I saw that. It was for a major commercial developer doing a
2447 grocery store on East Washington, and they were going to do these storage tanks. I
2448 don't think I've ever heard about that before. So the fact that you have this like very
2449 complex 90%, I just, I don't know that you'll get to the 10%. And I really kind of think it
2450 will probably, I mean, this is my just opinion on it, as an expert, that can be resolved.

2451 But the larger questions of, you know, some people don't like this thing, and what
2452 about that? That's not going to be fixed by this referral. So I won't support it as it is
2453 framed. Thank you.

2454
2455 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Bennett?

2456
2457 [06:30:00]

2458 **ALDER BENNETT:** Yeah. I just wanted to kind of bounce off of what was just stated
2459 there and really bring into what kind of may have come off as like a throw-away or like,
2460 not a throw-away, but a wild(?) comment. But very important, like Attorney Smith gave
2461 us very clear direction that she finds that this would be unlawful to base a decision
2462 tonight based off of storm water. And that is practically the most stern advice you can
2463 get from an attorney, that should you take a vote like this, it would be unlawful.

2464 So I think that we really need to take that into account. And I really do
2465 sympathize with you all. Like I don't want my, I wouldn't want my basement to be
2466 flooded either. I get that. And I would really highly recommend that with all these city
2467 processes, connecting with the Alder, and seeing if there's a way to like connect with
2468 the developers to make sure you're continuing having those conversations is important.
2469 So I don't think, we cannot just base a decision tonight based off of storm water. It
2470 would be unlawful for us to do so.

2471
2472 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Govindarajan?

2473
2474 **ALDER GOVINDARAJAN:** I call the question, the previous question.

2475
2476 **MAYOR RHODES-CONWAY:** You're the last person in the queue.

2477
2478 **ALDER GOVINDARAJAN:** Great, thank you.

2479
2480 **MAYOR RHODES-CONWAY:** Thank you, Alder. All right. So the motion that's before
2481 us is the Harrington-McKinney motion to refer these two items to the July 2nd Council
2482 meeting, with instructions to convene a meeting around the storm water issues. On the
2483 motion to refer, anticipating disagreement, all those in favor, aye, those opposed, no, as
2484 your name is called. And the Clerk will please call the roll.

2485
2486 **CLERK:** Alder Govindarajan? No. Gueguierre?

2487
2488 **ALDER GUEGUIERRE:** No.

2489
2490 **CLERK:** No. Harrington-McKinney?

2491
2492 **ALDER HARRINGTON-MCKINNEY:** Yes.

2493
2494 **CLERK:** Aye. Knox?

2495
2496 **ALDER KNOX:** No.

2497
2498 **CLERK:** No. Latimer-Burris?

2499
2500 **ALDER LATIMER-BURRIS:** Aye.

2501
2502 **CLERK:** Aye. Madison?

2503
2504 **ALDER MADISON:** No.

2505
2506 **CLERK:** No. Martinez-Rutherford?

2507
2508 **ALDER MARTINEZ-RUTHERFORD:** No.

2509

2510 **CLERK:** No. Myadze?
2511
2512 **MAYOR RHODES-CONWAY:** Come back.
2513
2514 **CLERK:** I'll come back. Rummel?
2515
2516 **ALDER RUMMEL:** No.
2517
2518 **CLERK:** No. Tishler?
2519
2520 **ALDER TISHLER:** Aye.
2521
2522 **CLERK:** Aye. Verveer?
2523
2524 **ALDER VERVEER:** No.
2525
2526 **CLERK:** No. Vidaver?
2527
2528 **ALDER VIDAVER:** No.
2529
2530 **CLERK:** No. Wehelie?
2531
2532 **ALDER WEHELIE:** Aye.
2533
2534 **CLERK:** Aye. Bennett?
2535
2536 **ALDER BENNETT:** No.
2537
2538 **CLERK:** No. Conklin?
2539
2540 **ALDER CONKLIN:** No.
2541
2542 **CLERK:** No. Currie?
2543
2544 **ALDER CURRIE:** No.
2545
2546 **CLERK:** No. Duncan?
2547
2548 **VICE PRESIDENT DUNCAN:** No.
2549
2550 **CLERK:** No. [Inaudible] Field?
2551
2552 **ALDER FIELD:** No.
2553
2554 **CLERK:** No. Figueroa-Cole?
2555

2556 **ALDER FIGUEROA-COLE:** No.
2557
2558 **CLERK:** No. And, Alder Myadze, are you on there?
2559
2560 **ALDER MYADZE:** Yes. No.
2561
2562 **CLERK:** No. All right. That is 4 noes and 15, or sorry, 4 ayes and 15 noes.
2563
2564 [06:33:04]
2565 **MAYOR RHODES-CONWAY:** With four ayes, the motion fails. We're back to the
2566 underlying motion, which is to adopt. Is there further discussion? Seeing no further
2567 discussion, Alder Gueguierre?
2568
2569 **ALDER GUEGUIERRE:** I'm throwing away my eloquent speech here. I'm just going to
2570 point out, two bits later, but I'm going to go through a couple of numbers just to put
2571 some perspective on what we're looking at here in the implications of not approving it,
2572 not that we can't. But we're looking at 138 units, that comes out to just under 37 units
2573 per acre for 3.7 acres. There's been a lot of mention, and I think we'd all be more
2574 comfortable in this whole situation, not to mention the residents, if we could have
2575 something that was less dense.
2576 And let's talk about, because I looked at this and ran some numbers. What
2577 about if we had 15 per acre, and they were duplexes, and let's just say, because they're
2578 typical in the neighborhood and around the west side, 2-story, 1,500 square foot
2579 duplexes, 1,500 each side, 2-car garages. At 15 per acre, that would be 56 units, 28
2580 buildings, which could kind of fit on here.
2581 But I want to point out, from a discussion that we had at the Plan Commission
2582 meeting, the real implication there is that that doesn't work economically at the price
2583 that the owners extracted or negotiated with the developer. And in fact, if you, it's not
2584 linear, but if you made that discussion, the, what we're really being asked to do is, by
2585 refusing to go forward with this, we're really hoping that the owners would be willing to
2586 drop their price by at least \$1 million and, I think, probably closer to \$1.4 million.
2587 We could do that to achieve a certain end there, but that's what's involved. Two
2588 parties in our capitalist, free-market economy came to a negotiated decision on what
2589 that land was worth. But that's what it would take to be able to do this.
2590 Now the elephant in the room remains the issue that we're not going to get into in
2591 more detail tonight about storm water. But it's an important thing to know here, okay.
2592 So I'm really going to put you, this will not take long, but I'm going to throw a bunch of
2593 numbers at you.
2594 Predevelopment, this is 161,025 square foot piece of property currently, before
2595 development, with 19,869 square feet of impervious area, basically, roofs of buildings
2596 and a few walkways and driveways, and 141,156 square feet of woods and grass that's
2597 obviously permeable. The Stone House proposal, in that same area, has 97,323 feet of
2598 impervious, although you could give a little credit to the 8,033 square feet of green
2599 roofs, leaving 63,702 square feet of grass or pervious areas. And hence, they're going
2600 underground to do some of these storage things and so forth. It's just hard to make this

2601 very difficult storm water site work with 63,702 square feet of grassy area. So we've got
2602 to do all of those other things.

2603 [06:36:50]

2604 But here's the problem. We just talked about what it takes. We got to knock \$1
2605 million to \$1.5 million out of the price to be able to get down to something that's less
2606 dense, let's say, 56 condominiums, but 2 stories. So now I got more roof per unit and
2607 everything else. I've got more walkways, more driveways, everything else to make that
2608 work. And roughly speaking, that would end up with 108,000 to 110,000 square feet of
2609 impervious area that we need to do and 52,000-or-so square feet of grass, or 10,000
2610 less than in the proposal from Stone House with the way they've designed it.

2611 So in fact, we will have, for something at that dense, even after knocking the
2612 price out, if that could be done with the owner, I'd guess they'd stick firm for a while,
2613 they would have a storm water issue as big or bigger than Stone House proposal. Just
2614 some thoughts to think about.

2615 Now you could take that and assume that we don't pay attention, that we don't
2616 listen, and so forth. But the fact is that, I think, just as Alder Rummel pointed out,
2617 regardless of what we decide here, the neighborhood residents did get heard.
2618 Certainly, I heard it the first time I walked through the property and heard their concern
2619 and expressed my concerns repeatedly to the developer, who took it very seriously to
2620 our own storm water engineers who looked at it very closely and so forth.

2621 But beyond that, we would never, without that advocacy on their part, have
2622 something that's going to end up probably as good as it is, probably much better than
2623 trying to get a whole bunch of duplexes or quads or so forth to meet the difficult storm
2624 water conclusions there.

2625 But beyond that, when we get ultimately, not tonight, but when Planning gets into
2626 the details of the conditional use permit, you're going to see, at least in the
2627 recommendation that came to the Planning Department, 63 conditions for the
2628 conditional use permit.

2629 And if you go through those, what you will find are that a bunch of those are a
2630 reflection of the concerns that came forward from the residents. So at least on some
2631 things, they have been heard. Staff has tried to take recognition of those things, and it
2632 will be a better project for that reason. That's all I have to say about it, thank you. I
2633 know it's very late.

2634

2635 [06:39:40]

2636 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Rummel?

2637

2638 **ALDER RUMMEL:** Thank you, Mayor. You know, I've been, like I don't know that I
2639 read every single email, but I tried. There's 138 pages and just from today, so there's a
2640 lot to keep up with. And in the room here tonight are at least two people I've worked
2641 with on City issues, so I want to acknowledge I know them. And when they wrote me, I
2642 like, oh, you know, I know you.

2643 But I'm also an Alder of a district that is much more dense than what we're
2644 talking about. So my perspective is somewhat different. And so, first of all, here's my
2645 Alder view from downtown. You got a really good developer. Everyone should hope
2646 that they can get Stone House to do a project in their district. They're attentive.

2647 They're, you know, they try to do affordable housing. I mean, that is not the common,
2648 most developers are like, oh, I don't do that. That's a specialty.

2649 Well, they could have done more affordable housing, but the neighbors said, no,
2650 it's too big, we don't want that. So they pushed it down. They heard you. They made it
2651 less, and now it's all market rate. And, you know, that's the tradeoff.

2652 But then the other thing, okay, I got one email from someone who said, like this is
2653 suburban. No, no, you're urban, and you are post-'50s urban development. I'm like
2654 post-1880s to 1920s urban development. So I get that we're different. But please don't
2655 tell me that this is just so outrageously dense.

2656 This agenda item, like Lynn Green, you know, praised me for, Essen Haus
2657 [inaudible] Wilson plus Blair. Do you know what the dwelling units per acre is for that
2658 little block, just for the residential piece, not excluding the hotel, according to the
2659 development team told me that it's 237 dwelling units per acre on a block. It's an eight-
2660 story piece and a four-story piece. You could have had a four-story piece or taller, but it
2661 wouldn't have been right there, I get that.

2662 But I'm just saying, your low-, medium-density at 37 dwelling units per acre, and I
2663 think it's a good infill for that area. It's sprawling because it's not tall. Could have been
2664 tall and more compact, but it's not. It is what it is. And the other thing I just want you to
2665 know, as Alder, what I'm so jealous of, do you know that your side yard and rear yard
2666 setbacks are freaking amazing. In my district, you'd have another building in between
2667 each side. There would be three buildings, not one, even if it's a big thing-looking
2668 building.

2669 [06:42:28]

2670 Because on, you have like side yard required ten. It's like 66 feet on one side, 54
2671 feet on the other. Rear yard require 20, 62 feet. I mean, 62 feet is like a parcel on the
2672 downtown. You know, you could build a whole thing there. Like we could get Doug to
2673 come build us something. So anyway, I don't mean to be at all disrespectful. I think
2674 you have been heard. Like I said before, the storm water thing, you did that. You got
2675 them to like really hunker down and come back with something. Like I think it's
2676 unprecedented.

2677 So I know it's not exactly what you want, and, you know, and there's, you know,
2678 going to be issues like with how you, how we deal with traffic. But those are big-city
2679 questions. They're not the developer's solution. So anyway, I want to be respectful, but
2680 I think you have a good project, and you might hate it for a while. But eventually, my
2681 goal is that, or my hope would be that you just sort of stop noticing that it's there, and it
2682 kind of fits in. So thank you.

2683
2684 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Bennett?

2685
2686 **ALDER BENNETT:** Yeah, thank you. And, Marsha, wow. I just, you know, I think
2687 maybe not, we're coming from a similar perspective of a, you know, downtown, as
2688 Alders. But I know, it's really late, and I wish I wasn't even talking right now. So I'm
2689 sorry to make you suffer as well. But I don't know. There's three things that kind of,
2690 three words that I, or four, that I wanted to talk about. And that is like, one,
2691 assumptions, two, missing middle, and three, the questions that are at the top of our
2692 agenda.

2693 And with the assumptions, I just wanted to reflect, like that is something that
2694 really did impact me this time around. And I come from a place where I graduated from
2695 the real estate school and still have connections with a lot of people that are in real
2696 estate or urban planning and that are professors or students, and have had
2697 conversations with them about how they've talked about the meeting, the neighborhood
2698 meeting at Old Sauk Road and the rest(?) area plan meeting in their classes and
2699 conversations about like what, literally, like neighborhood meetings, how they go.
2700 [06:45:03]

2701 And I think, to be honest, I, going into this discussion, did hold some of those
2702 notions about privilege and race and equity. And I think that, you know, those are all
2703 things that are at play, especially as I recall a very distinct moment of like drive, I was
2704 coming back from like Blackhawk Church and I made a wrong turn. Instead of turning
2705 on the highway, I went a different way. And all of a sudden, I'm driving, and I'm seeing
2706 these no rezoning signs. And I'm like, oh, crap, I'm on Old Sauk Road.

2707 And it did give the impression that, you know, no rezoning also meant no new
2708 housing, no new neighbors. And it is good to hear kind of a difference in that. And I'm
2709 pleased to hear that missing middle is something that the neighborhood is willing to
2710 accept, and I hope that we can have future discussions about that. So I did want to say
2711 that.

2712 And I also wanted to say that, in some ways, I feel like there may be assumptions
2713 made on the other side that are, you know, not fully conducive to what like they are.
2714 And for example, my introduction to Stone House Development was them reaching out
2715 to me, or coming to a neighborhood association meeting in my neighborhood, talking
2716 about a rezoning for ten stories on the Braden(?) lot and saying how that rezoning,
2717 which they wanted to keep it at four stories, would, you know, four stories would help
2718 them be able to create more affordable housing. And that was my introduction to Stone
2719 House Development.

2720 So it was a very interesting and different perspective that maybe there's an
2721 assumption like they just want a bunch of money. And yet, I understand that Stone
2722 House owns everything from Section 8 housing to market-rate developments.

2723 And then there's also assumptions about who will be, or who could be, the
2724 people living in these developments. Like there's assumptions that they are going to
2725 be, you know, these high-end, ritzy people, Epic employees, what have you, that, you
2726 know, can afford those rents. And sometimes these are assumptions that we can't
2727 always make. They, you never know where people are coming from. They can be
2728 someone that is on disability and Social Security or receiving a public housing voucher,
2729 and you would never know that. And they could be living in your neighborhood already.
2730 [06:48:02]

2731 Or they could be, I think, or they could be someone that's moving up from an
2732 affordable housing situation that wants a better neighborhood, that this is their only
2733 chance for their kid to go to Memorial High School or get into a better school system.
2734 So I think that when we have these conversations, it's not just the housing, but it's the
2735 people in the housing that make it together. So if, I just want to say like if, encourage
2736 everyone to be welcoming to those neighbors and like how things may come off as,
2737 because regardless of what may happen, they might be really cool people that you'd
2738 enjoy being around. So I just wanted to make that known.

2739 And for the questions, which, quite frankly, I had no idea were at the top of the
2740 thing, or the top of our agenda for as long as they could. But I think that when we, when
2741 I think about those questions, I have to both zoom in and zoom out and think about the
2742 city as a whole. And in this entire like, you know, agenda, we're talking about housing
2743 at all different levels. We're talking about housing from people that literally don't have a
2744 house, to people that might want to buy a house, to people that might want to rent a
2745 house somewhere in Madison.

2746 And at this point in time, when we are struggling to get people to have homes at
2747 all levels, at all income levels, it's important for us to think about that, even if it's like
2748 these high-end, you know, apartment buildings. So thinking about everyone who
2749 benefits, I think it is the city that benefits. And I think the people in the city that are
2750 burden(?) are the people that can't find housing. And the people that don't have a voice
2751 at the table are people that want to live in Madison but can't, or the people that are
2752 renters in your neighborhood that are working full time and can't make it to this meeting.

2753 And I think that how we can, we, as policymakers, can mitigate unintended
2754 consequences is to make sure that we are actually listening and hearing what you have
2755 to say and that us, as Alders, are connecting you with the appropriate people and
2756 channels to make sure your voices are heard.

2757 So in total, I really do hear and sympathize with you all. I will be voting in favor of
2758 this, but I want you all to know that there are pathways that we can work together and
2759 work forward to address housing and good neighborhoods for everyone, in a way that
2760 works out for all of us.

2761
2762 [06:51:01]

2763 **MAYOR RHODES-CONWAY:** Thank you, Alder. I hesitate to say it, but I'll just remind
2764 folks to please address the Chair. Alder Knox?

2765
2766 **ALDER KNOX:** Thank you. You know, I wasn't going to address this issue, but I'm
2767 going to be brief. Well, I'm going to try to be brief, I guess. You know, I'm pretty
2768 confident that the City staff will do what's best in terms of dealing with those storm water
2769 issues during the process of that conditional use. But and I would also admit that this
2770 project, you know, in my sense, isn't a very, isn't relatively dense. But in that particular
2771 neighborhood, it will make a difference. So I'm going to vote no because as these
2772 developments move forward, it's not always the size of the development. It's the impact
2773 that that development has on that particular neighborhood.

2774 And it's not always a legal issue either. You know, I'm getting a little tired of that
2775 because we make management decision about quality of life for people and
2776 neighborhoods. And I really just think that with all this pressure that we're putting on
2777 neighborhoods to get our housing numbers up, I mean, I'm going to be honest, I'm
2778 looking at a 600-unit plopped in a neighborhood that we're trying to get down to 300
2779 because of the impact it has on that neighborhood.

2780 So it's different in different parts of the city, in different environments, and we
2781 need to take that in consideration, even though we know we have an obligation to get
2782 our housing unit, number of housing units up and affordable housing units up.

2783 I heard these people talk about that they believe in affordable housing. And I
2784 know some of the people over there. I know that's a fact because they fought, whether

2785 it's in the county or their neighborhoods, for all kinds of rights for affordable housing.
2786 But I think sometimes we need to really look at what the neighborhood is, how these
2787 projects are going to impact these neighborhoods. And that's what I'm going to be
2788 paying attention to. Because people have lived in these neighborhoods for years,
2789 sacrificed their hard-earned money to be a part of that neighborhood to make it what it
2790 is. And then we sit up here and just make judgments that, oh, this project isn't so
2791 dense. You know, I think that's wrong.

2792 I think there's different situations for different neighborhoods, and you need to
2793 listen to the residents and what they're telling you. And that's what they mean when
2794 they say they aren't being heard. That's exactly what they mean. Because you know
2795 what, when this development train gets to moving and the residents tell you what they
2796 want, it, the train keeps moving because they depend on us in this room to hear them,
2797 listen to them, weigh out those factors, and make those decisions. So I'm going to vote
2798 no on this.

2799

2800 [06:54:33]

2801 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Govindarajan?

2802

2803 **ALDER GOVINDARAJAN:** I call the previous question.

2804

2805 **MAYOR RHODES-CONWAY:** Alder, there's one other Alder in the queue.

2806

2807 **ALDER GOVINDARAJAN:** I encourage you all to be fast, thank you.

2808

2809 **MAYOR RHODES-CONWAY:** Thank you, Alder. Alder Harrington-McKinney?

2810

2811 **ALDER HARRINGTON-MCKINNEY:** Well, I'm not going to be fast. I'm going to say
2812 what I need to say. And I know it's 1:45, but I'm going to say what I need to say. I have
2813 the greatest amount of respect for Stone House, and I recognize the high-quality,
2814 sustainable housing. They have a current portfolio of over 1,000-plus affordable units,
2815 600 market-rate units. And what I like best about them is that they manage their
2816 portfolio in the neighborhood, so they're present. So I give props to that.

2817 But what concerned me, and I drove through the neighborhood, and those signs
2818 did kind of turn me off in terms of the signs. But I knew the people who were showing
2819 up, talking about what, that they were not heard. And so it really concerned me that
2820 when I heard that community leaders were coming up, they would have their three
2821 minutes, and no one asked them a question. No one asked them a question. And so
2822 what we are doing is, is that we talk about affordable housing, we talk about the missing
2823 middle, and we talk about community engagement. But we don't really do community
2824 engagement.

2825 And so even though the, and I'm going to vote no. And I'm going to vote no
2826 because as we encourage people to come, residents to come and have their voice
2827 before us in this Council Chamber, at least they should be respected. All of them are
2828 not nimbies, as it was said. But at least to be asked a question. I could not even
2829 believe that they showed up at two meetings, or whatever meetings they came before

2830 the Planning Commission, and all the questions were directed to Stone House. No one
2831 asked them a question.

2832 [06:57:13]

2833 And so that bothers me in terms of, if we want them to show up, and if we are
2834 inclusive in that we want to hear their voices, there are tradeoffs. They are smart
2835 people. There are tradeoffs. But I am going to vote no because I heard them, and I
2836 respect them, and I want to make sure that at least they know that they've got some
2837 people that's on the Council that does listen to them. And I'll be voting no.

2838
2839 **MAYOR RHODES-CONWAY:** Thank you, Alder Harrington-McKinney. No other
2840 Alders in the queue wishing to speak. The motions on items 13 and 49 are to adopt.
2841 Anticipating disagreement, all those in favor, aye. Those opposed, no, as your name is
2842 called. And the Clerk will please call the roll.

2843
2844 **CLERK:** Alder Govindarajan?

2845
2846 **ALDER GOVINDARAJAN:** Aye.

2847
2848 **CLERK:** Aye. Gueguierre?

2849
2850 **ALDER GUEGUIERRE:** Aye.

2851
2852 **CLERK:** Aye. Harrington-McKinney?

2853
2854 **ALDER HARRINGTON-MCKINNEY:** No.

2855
2856 **CLERK:** No. Knox?

2857
2858 **ALDER KNOX:** No.

2859
2860 **CLERK:** No. Latimer-Burris?

2861
2862 **ALDER LATIMER-BURRIS:** Aye.

2863
2864 **CLERK:** Aye.

2865
2866 **ALDER LATIMER-BURRIS:** Aye.

2867
2868 **CLERK:** Aye. Madison?

2869
2870 **ALDER MADISON:** Aye.

2871
2872 **CLERK:** Aye. Martinez-Rutherford? Aye. Myadze?

2873
2874 **ALDER MYADZE:** No.

2875

2876 **CLERK:** No. Rummel?
2877
2878 **ALDER RUMMEL:** Aye.
2879
2880 **CLERK:** Aye. Tishler?
2881
2882 **ALDER TISHLER:** No.
2883
2884 **CLERK:** No. Verveer?
2885
2886 **ALDER VERVEER:** Aye.
2887
2888 **CLERK:** Aye. Vidaver?
2889
2890 **ALDER VIDAVER:** Aye.
2891
2892 **CLERK:** Aye. Wehelie?
2893
2894 **ALDER WEHELIE:** Aye.
2895
2896 **CLERK:** Aye. Bennett?
2897
2898 **ALDER BENNETT:** Aye.
2899
2900 **CLERK:** Aye. Conklin?
2901
2902 **ALDER CONKLIN:** Aye.
2903
2904 **CLERK:** Aye. Currie?
2905
2906 **ALDER CURRIE:** Aye.
2907
2908 **CLERK:** Aye. Duncan?
2909
2910 **VICE PRESIDENT DUNCAN:** Aye.
2911
2912 **CLERK:** Aye. Evers is excused. Field?
2913
2914 **ALDER FIELD:** Aye.
2915
2916 **CLERK:** Aye. Figueroa-Cole?
2917
2918 **ALDER FIGUEROA-COLE:** Aye.
2919
2920 **CLERK:** Aye. That is 15 ayes, 4 noes.
2921

2922 **MAYOR RHODES-CONWAY:** With 15 ayes, items 13 and 49 pass. Then we'll move
2923 on to item 14.