

**From:** [Stouder, Heather](#)  
**To:** [Cleveland, Julie](#)  
**Cc:** [Parks, Timothy](#)  
**Subject:** FW: Here We Go Again -- The Edgewood Saga Continues  
**Date:** Monday, November 30, 2020 2:04:51 PM

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**From:** Evers, Tag <district13@cityofmadison.com>  
**Sent:** Monday, November 30, 2020 2:04 PM  
**To:** Stouder, Heather <HStouder@cityofmadison.com>  
**Subject:** Fw: Here We Go Again -- The Edgewood Saga Continues

Heather,

Please add to the file.

Thanks.

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Tag Evers

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**From:** Evers, Tag  
**Sent:** Monday, November 30, 2020 1:59 PM  
**To:** Evers, Tag  
**Subject:** Here We Go Again -- The Edgewood Saga Continues

Dear colleagues,

I regret that we are here, focusing on this during a pandemic, at a time when there are many more important things to be discussing.

The following statement provides background, some of which will be familiar to you. Please take the time to read it. My statement on the Council floor will be much shorter. I'm aware it's going to be a very long evening.

On May 11, Plan Commission voted 7-1 to deny Edgewood High School's application for a conditional use permit to install lights. As stated in the minutes of the meeting:

*"Plan Commission could not find standard #3 met, finding that the lights would have a substantial negative impact on the uses, values, and enjoyment of surrounding properties, and that no evidence was submitted by the applicant that there would not be negative impacts on the lighted use of the field, and no mitigating measures proposed to limit those impacts (noise barriers, limit on events, etc.). Members indicated that they would be open to considering the request again if some redress of the noise impacts was presented by the applicant, including improved engagement with the neighborhoods and a limit to the number of games with lights."*

Edgewood chose to appeal, claiming that Plan Commission had decided the matter incorrectly.

Plan Commission's decision was entirely defensible, supported by facts offered in written and oral testimony that there are "foreseeable" negative impacts to holding night games directly adjacent to a traditional residential neighborhood.

This has been the issue from the very beginning. And by "very beginning" I mean going back to the mid-90's when this controversy began. The neighbors have been unwavering – that a football stadium is an incompatible use of a property so close to homes along Woodrow and Monroe streets -- that lights, cheering crowds, pep bands and a play-by-play announcer are incompatible uses within a traditional residential neighborhood, and made even more incompatible by impinging on the recreational use and natural respite provided by nearby Lake Wingra.

Two previous master plans worked out with the neighborhood, one in 1997 and the other in 2014, made no allowance for a stadium. In 2015, Edgewood announced a generous gift from the Goodman Foundation. The headline of the June 15, 2015 State Journal article read: "*Edgewood High School breaking ground on \$1.5 million athletic **practice** facility.*" The article quoted Mike Elliott, Edgewood High School's president, that the upgrade had the support of their neighbors that have "balked in the past at the idea of turning the facility into a competition site for Edgewood's many athletic programs." "We're between two neighborhood associations. They have been vehemently opposed to us having lights or playing games here," Elliot said. "We're really building this to be able to give our athletes the practice facilities that provide the best surfaces possible and to expand the amount of outdoor practices that we can hold especially in the spring. That is our focal point."

The focal point was a practice field because that's what was clearly stipulated in the 2014 Master Plan. The neighbors went along with the practice field upgrade but were troubled when Edgewood installed conduits – the electrical infrastructure for stadium lights -- because Edgewood did this in a less than transparent manner, without openly disclosing their intentions to the Liaison Committee that had been set up for this very purpose.

This lack of transparency, this sense that Edgewood was not acting in good faith, was reinforced when Edgewood turned around less than two years later and announced plans to build out their stadium with lights, amplified sound, expanded seating, locker rooms and concession stands, with anticipated use of 18 – 27 night games.

Edgewood soon framed their desire for a stadium as a need, not a want, claiming they had lost the right to play their home games at Middleton's Breitenbach Stadium. The neighbors, through an open records request, discovered otherwise, that Edgewood was still welcome to play their home games at the Middleton facility but had chosen to walk away from that agreement because, as Middleton's athletic director stated, Edgewood wanted their own lighted field.

Fast forward past the bogus religious discrimination lawsuit and the repeal of the carefully negotiated Master Plan.

After Common Council voted in January to repeal the Master Plan, I encouraged Edgewood to go slow, to work on rebuilding trust with their neighbors. Instead, they immediately announced they would apply for a conditional use permit to put up lights and headed to Plan Commission on May 11.

The vote wasn't close. Edgewood's conditional use application was denied on a 7 – 1 vote. Edgewood quickly filed an appeal.

Edgewood and the neighbors met in hopes of finding a compromise. A total of six meetings were held. I participated in each of the meetings, including the final meeting held last Tuesday, November 24.

Edgewood focused on trying to get the neighbors to agree to a set number of games. The neighbors focused on noise impacts. Following up on a suggestion by Alder Rummel during the May 11 Plan Commission meeting, neighbors crafted a Four Point Plan that could allow Edgewood to put up lights:

- 1) Edgewood and neighbors align on a way to measure the sound of day games;

- 2) Sound from day games is measured, in order to form a baseline to research noise mitigation;
- 3) Based on how loud the games are, research is done to determine a mitigation mechanism (e.g. noise barrier);
- 4) Edgewood incorporates it into a noise mitigation approach as part of a proposal.

Early on it seemed like progress was being made. Edgewood researched a sound barrier that showed the potential for significant noise reduction. I thought we were getting somewhere, but Edgewood stopped pursuing a sound barrier and shifted their focus back to limits on the number of games.

Edgewood's idea of a compromise became clear -- the neighbors should give in and let them put up lights, with the caveat the school would cap the number of games in what they believe is a major concession because the other high schools with stadiums have no caps.

It's important to note that the number of games is but one consideration. However, in order to find the standards met, Plan Commission needed additional noise mitigation measures, which Edgewood stopped pursuing. Thus, even if Council were to set a limit on the number of games, that alone would not result in the standards being met. In other words, the "applicant has not met or agreed to meet the standards."

Edgewood and their supporters continue to claim it's a matter of fairness and equity, that they should be treated the same as Madison's other public high schools. That argument is weakened by the facts. Only two of Madison's four main public high schools have stadiums. A careful review of the parcels surrounding the high schools explains why.

East (1922) and West (1930) are situated in dense residential neighborhoods and have athletic fields on their campuses, not stadiums. East is surrounded by three zoning districts, two of which are traditional residential: TR-C4, TR-V, the third being NMX (Neighborhood Mixed Use). West is surrounded by two zoning districts, one of which is traditional residential, TR-C2, and the other zoned CN, or Conservancy.

Memorial (1967) and LaFollette (1963) campuses are situated in mixed commercial, employment and suburban residential districts and had stadiums built when their schools were established. Memorial is surrounded by five zoning districts, two of which are suburban residential: SR-C1, and SR-V2. The remaining three are zoned CC (Commercial Center) SE (Suburban Employment), and CN. LaFollette is surrounded by three zoning districts, one of which is suburban residential: SR-C1, the other two being CN and PR (Parks and Recreation).

Lussier Stadium at La Follette has no housing within 1000 feet as it backs up to a golf course. Memorial's Mansfield Stadium is surrounded on three sides by roads and commercial property. There are apartments not far from Mansfield's east end zone, but these apartments were built after the stadium.

Edgewood HS (1927) is surrounded by a single zoning district: TR-C2, the zoning for a traditional residential district. The closest homes are within 100 –150 feet of the athletic field.

This is the crux of the matter. Edgewood wishes to add stadium lighting enabling night games to a traditional residential neighborhood. Edgewood continues to point to Memorial and La Follette, insisting they are being forced to bear hardship contrary to other public high schools.

And it's worth repeating, the very situation Edgewood claims is an intolerable hardship is the norm at East and West, schools that are four times their size.

It's simply not accurate to claim that Edgewood has the right to a stadium like the other Madison public schools. Edgewood does not have a "right" to a stadium; it has the right to consideration of such a request in the context of the surrounding properties.

The issue comes down to the standards. The Plan Commission could not approve a conditional use permit, and neither can Council, without due consideration of any applicable neighborhood plans. The only applicable neighborhood plan would be the 2007 Monroe Street Commercial District Plan. There's not a lot of guidance here, but one important sentence on page 53 stands out noting that while Edgewood

is an important presence on Monroe Street, as it “develops it will be critical for any future plans to be carefully coordinated with surrounding neighborhoods and land uses to avoid negative impacts.”

Let the record be clear. Edgewood’s revised application before us was not “carefully coordinated with surrounding neighborhoods and land uses.” The meetings with the neighborhood were unfruitful in part because Edgewood’s representatives, including President Mike Elliott, kept insisting to the neighbors that the impacts would not be negative. And to the extent the impacts might be negative, Edgewood’s argued the impacts would be sufficiently mitigated by capping the number of a games. Yet the cap they proffer is 30 games the first full season and 40 thereafter, roughly 50% more than what they first proposed in 2017.

Last week, ACA John Strange sent alders a memo about the substantial evidence requirement imposed by state statute. It is important to note the burden the 2017 statute places on applicants. Reading from the Statute 62.23 (7)(de) “The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence.”

In deliberating this matter, it is Council’s responsibility to see that the applicant satisfies that burden with substantial evidence. The approval standards in our ordinance say that “No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the following conditions are present.”

Most relevant is Number 3: *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*

To overturn the Plan Commission’s 7-1 vote, alders would have to find **substantial evidence** that Edgewood has met this standard.

It is abundantly clear that Edgewood has not met the standard. One can easily foresee situations in which the uses, values, and enjoyment of the already established adjoining properties would be substantially impaired or diminished. One can easily foresee dinnertime meals that are interrupted, young children who cannot sleep, adults who are unable to quietly read a book or hold conversations on a screened-in porch. One can easily foresee canoers frustrated that their quiet paddle on the lake is diminished, and one can easily foresee the very real possibility of declining property values.

Edgewood has offered no new evidence since May 11 that compels alders to overturn Plan Commission’s near unanimous decision.

So, what is the answer? One answer would be for Edgewood High School to do what Edgewood College has done and build a stadium for athletic events in an area that is not right up against a traditional residential neighborhood. (Edgewood College this fall completed construction of a dedicated home field for their soccer and lacrosse teams in Verona as part of the Reddan sports complex.)

The other option is for Edgewood, in keeping with their Dominical values of Truth, Compassion, Justice, Community and Partnership, to state they will stop trying to force their will on their neighbors, and resume working with them to measure the school’s newly-legal daytime use and determine if there are acceptable sound mitigation strategies before moving forward by expanding that use into the nighttime hours.

Trust, however, remains an issue. The two sides traded draft proposals for their respective positions on November 18, with the caveat these proposals would stay within the group. However, two days later, on November 20, Edgewood’s attorney submitted both proposals to the City as if they were final documents and did so without informing the neighbors and without informing me, the district alder. They also shared their proposal with the press, all of this before our final scheduled meeting on November 24 to see if a last-minute breakthrough was possible.

This is not how you build trust. This is not indicative of “improved engagement with the neighborhoods.”

Edgewood should not be allowed to, and in fact should not want to, put up a stadium if it’s going to cause

harm to their neighbors. There may yet be a compromise to be found, one in which there is “some redress of noise impacts” as called for by Plan Commission, but it’s not here, and it’s not now. Common Council is not the place to hash that out.

If it’s to be found, let the neighbors and Edgewood find it together.

Sources:

[https://madison.com/sports/high-school/football/prep-sports-edgewood-high-school-breaking-ground-on-1-5-million-athletic-practice-facility/article\\_cba5c427-720e-5507-9599-acb877b038f4.html](https://madison.com/sports/high-school/football/prep-sports-edgewood-high-school-breaking-ground-on-1-5-million-athletic-practice-facility/article_cba5c427-720e-5507-9599-acb877b038f4.html)

<https://www.cityofmadison.com/engineering/stormwater/documents/MonroeStComPlan.pdf>

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