

# CRANES

## Capital Region Advocacy Network for Environmental Sustainability

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

### VISION

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

### PARTNER ORGANIZATIONS

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

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**A Wisconsin Non-Profit [EIN 26-4056421]  
Fiscal Agent  
River Alliance of Wisconsin  
A Tax-exempt 501(c)3 Non-profit  
WisconsinRivers.org**

**PRINTED ON RECYCLED PAPER**

21 March 2011

City of Madison Plan Commission  
ATTN: Nan Fey, Chairperson  
c/o Brad Murphy, Staff  
Planning & Community & Economic Development  
215 Martin Luther King Jr. Blvd., Suite LL100  
Madison, WI 53703

SUBJECT: *Request for Amendment of Cherokee Special Area Plan and Comprehensive Plan*

Dear Chairperson Fey:

The *Capital Region Advocacy Network for Environmental Sustainability* (CRANES) requests amendment of the Cherokee Special Area Plan (CSAP) prior to its integration within the City of Madison Comprehensive Plan (CP).

Our request is based on the 2006 stance of our partner organization, the *Friends of Cherokee Marsh* (FOCM), requesting protection of Subarea 1 for restoration as uplands habitat and addition to the Marsh's public lands. For ecological sustainability of wetlands, experts currently recommend an uplands area or buffer of 300-900 feet for habitat, as well as mitigation of stormwater runoff from agriculture or development. A larger sized buffer is more ecologically appropriate for major wetlands such as Cherokee Marsh. Indeed, some experts recommend almost 2700 feet of unfragmented uplands (please see testimony provided by FOCM to the City, 2006). A 900-foot buffer would cover most of the CSAP's Subarea 1.

Additionally, two issues that have arisen since the CSAP was adopted by the City Council in January 2007:

- A. There has been confirmation of climate change trends predicted from models for the Upper Yahara River region, with increased rain or snow, causing rises in groundwater table levels, and flashier or more severe storms, threatening natural resources and infrastructure. Flooding of nearby residential basements and condominium underground parking/storage has increased. In Spring/Summer 2008, North Sherman Avenue was closed to passenger traffic for several weeks. The City sewer infrastructure was overwhelmed and millions of gallons of sewage had to be released into Cherokee Marsh to prevent the community health emergency situation that would have been caused by sewage backflow.
- B. Contrary to the CSAP, since 2009 there has been an effort to locate a large senior residential and assisted living facility in Subarea 1. That senior facility proposal would require an amendment to the CSAP and the CP, because it contradicts the phasing laid out in the CSAP, which called for build-out in Subarea 2 before construction would begin in Subarea 1 (which was estimated during 2006 public hearings to be no earlier than 2027). It also precedes the onsite research and monitoring that was promised prior to any construction near the Marsh. The proposal would also locate an institutional facility with density of 34-36 dwelling units/net acre and approximately 65% impervious surface, on a parcel that the CSAP slated for Low-Density Residential (LDR) that is 2-4 times less dense (8-15 dwelling units/net acre), and with much less impervious surface.

We therefore request two CP amendments (keyed to the CP Amendment Map K):

- (1) The Recommended Land Use for CSAP Subarea 1 (Hornung Range) be changed to P (PARK, OPEN SPACE, AND STORMWATER MANAGEMENT, specifically *Park Drainage* and *Open Space*) from LDR (Low Density Residential; see MAP K-4), or to P from NMU (COMMERCIAL/EMPLOYMENT MIXED USE, specifically *Neighborhood Mixed Use*; see MAP K-6).
- (2) The Recommended Land Use for CSAP Subarea 6 (High Hill) be changed to P from LDR (MAP K-1).

In short, we wish to see the CSAP and CP amended such that the LDR and NMU portions of Subareas 1 and 6 be changed to P.

The LDR development that was proposed in CSAP Subareas 1 and 6 could be transferred to the non-wooded acreage of Subarea 2 (Hornung Fields); the resulting density there would be still be LDR, as in the CSAP (and far less than that recently proposed for the senior facility), also better protecting the public's investment in the restoration of Cherokee Marsh.

The City could acquire land available to the south, along CV and Tennyson, and use it to create a "swap" with the development company that owns Subareas 1 and 6, thus providing it with a better and less expensive location to build both LDR and the proposed senior facility. This would keep the economic activity associated with this proposed facility on the northside, and in a location preferred by Northsiders, especially the Berkley Oaks Neighborhood Association.

Alternatively, some or all of the development proposed for Subarea 1 could be transferred to other currently City-owned receiving areas owned, such as Union Corners or the Don Miller property on East Washington.

Such transfers and swaps would also lower the price of acquiring the LDR and NMU portions of Subareas 1 and 6, for addition to the Marsh's public lands.

The NMU amendment area for Subarea 1 (Map K-6) could be restored to the northeastern corner of Subarea 2 (MAP K-7), if that Recommended Land Use is still deemed essential to the City's growth on its northern edge.

Our request does not affect the other areas of the proposed CSAP amendment to the CP: K-1, K-2 (although the amendment needed for the northeast segment of K-2 is directly adjacent to the area of Sherman Avenue that flooded in 2008, and thus bears review), K-3, or K-5 (although this amendment would benefit from adding a conservancy landscaping overlay to the Recommended Land Use being proposed for the existing church on this site, since this land is directly adjacent to the Marsh).

Please advise CRANES if our amendment request needs to be revised for any reason, or submitted elsewhere (e.g, we understand that the City's parks and open space plan is being rewritten for 2012-16, and that the City's zoning code is being revised).

Thank you for your consideration.

Sincerely,




Gary Werner  
President, CRANES 2010-11 Board of Directors

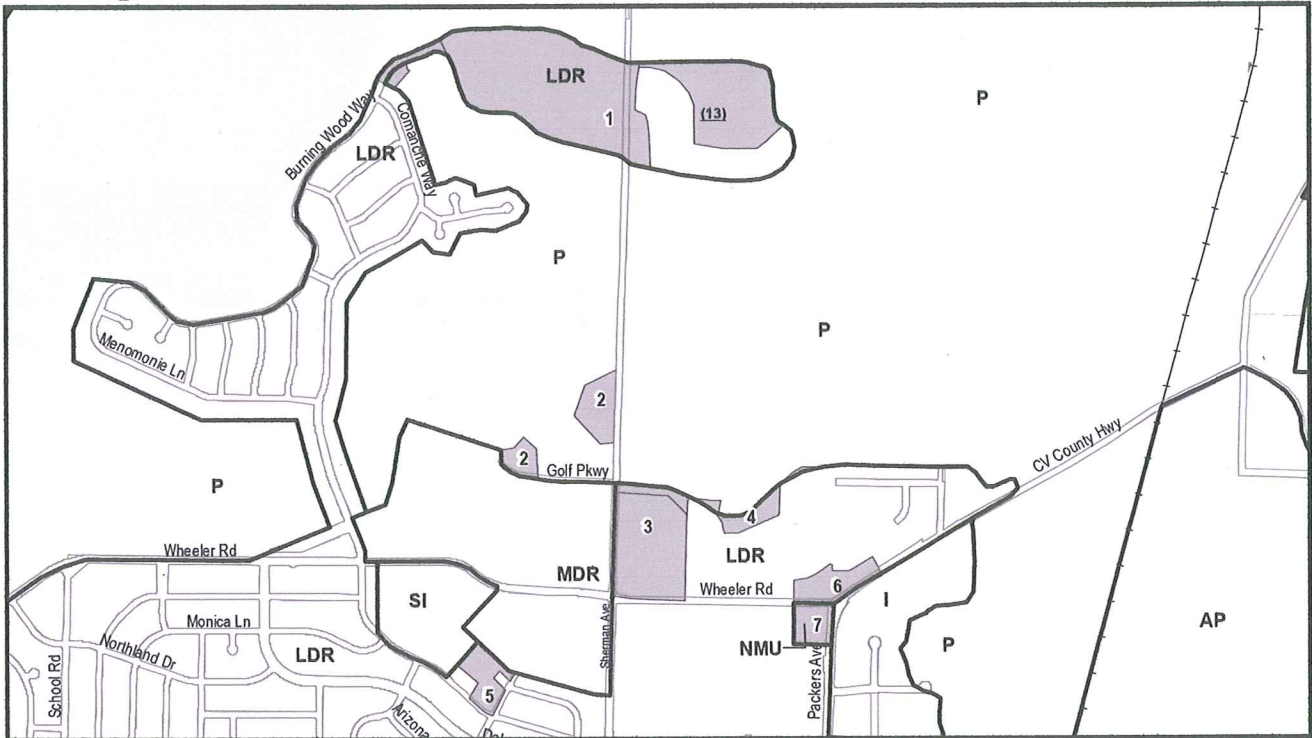
# 2010 Comprehensive Plan Review

## Potential Map Amendments

### Locator Map K

As Adopted: **JANUARY 2007**

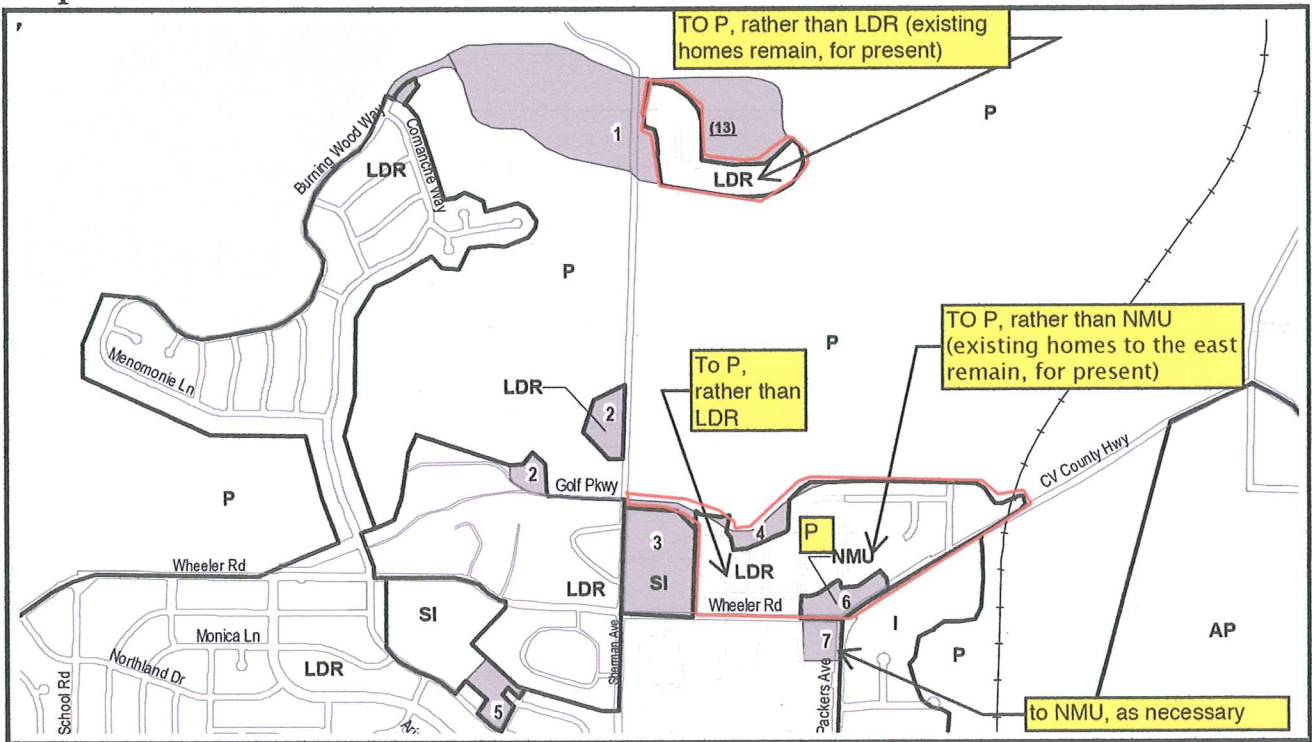
 Proposed change



0 500 1,000 Feet



Proposed Amendments: **2011**



**COMPREHENSIVE PLAN AMENDMENTS TO REFLECT THE LAND USES RECOMMENDED IN SPECIAL AREA PLANS ADOPTED OR AMENDED SINCE JANUARY 2006 FOR AREAS WITHIN EXISTING NEIGHBORHOODS.**

**Cherokee Special Area Plan** Adopted 17 January 2007

Map Key No.	Location	Proposed LU Change	Reason for Proposed Amendment	Comments
<a href="#">K-1</a>	Areas east and west of N. Sherman Avenue about 2/3 mile north of Golf Parkway.	LDR to P	To reflect the land uses recommended in the Cherokee Special Area Plan [adopted 1-16-07]	Reduces the amount of developable area adjacent to Cherokee Marsh. This change also reflects additional open space lands purchased by the City of Madison since the Cherokee SAP was adopted.
<a href="#">K-2</a>	Two small areas west of N. Sherman Avenue and north of Golf Parkway	P to LDR	To reflect the land uses recommended in the Cherokee Special Area Plan [adopted 1-16-07]	Adds a small amount of developable area adjacent to Cherokee Marsh.
<a href="#">K-3</a>	Property east of N. Sherman Avenue and north of Wheeler Road	LDR to SI	To reflect the land uses recommended in the Cherokee Special Area Plan [adopted 1-16-07]	Recognizes a large existing church site
<a href="#">K-4</a>	Small areas along the edge of Cherokee Marsh east of N. Sherman Avenue	LDR to P and P to LDR	To reflect the land uses recommended in the Cherokee Special Area Plan [adopted 1-16-07]	Reflects a recommended new park and minor modifications to the edge of the recommended open space.
<a href="#">K-5</a>	Area southeast of Gompers Elementary/Blackhawk Middle School	LDR to SI	To reflect the land uses recommended in the Cherokee Special Area Plan [adopted 1-16-07]	Expands the SI district to match the existing school site.
<a href="#">K-6</a>	Area northwest of the Wheeler Road/Packers Avenue intersection	LDR to NMU	To reflect the land uses recommended in the Cherokee Special Area Plan [adopted 1-16-07]	Shifts the recommended location of the mixed-use node.
<a href="#">K-7</a>	Area southwest of the Wheeler Road/Packers Avenue	NMU to LDR	To reflect the land uses recommended in the Cherokee Special Area Plan	Shifts the recommended location of the mixed-use node.