

# **LETTER OF INTENT**

## **Troy Gardens Urban Open Space and Residential Condominiums**

Madison Area Community Land Trust  
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### **HISTORY OF TROY GARDENS**

In October, 1995, the state of Wisconsin placed a 15-acre undeveloped site abutting the Mendota Mental Health Center grounds on the State's surplus land list. The State intended to sell the site, most likely to a private for-profit developer. Area residents and people from other parts of the city had been gardening on 4 acres of the site for 15 years, and using much of the rest of it to bird-watch, walk their dogs, and simply wander the land.

Alarmed at the prospect of losing this valuable resource, concerned gardeners and neighbors, facilitated by the Northside Planning Council, began meeting and planning. Three non-profit groups (the Madison Area Community Land Trust, the Urban Open Space Foundation, and the Community Action Coalition) joined together to form the Troy Gardens Coalition. Several representatives from the University of Wisconsin joined the Coalition in the fall of 1996 when the State added a 16-acre landlocked undeveloped area to the north of the original site to the surplus list.

The Coalition developed an innovative proposal for integrated land use, one that combined housing with open space and agricultural uses. This proposal, known as the Troy Gardens Development Concept Plan, was approved by the Common Council in 1998.

After years of fundraising and development work, the Madison Area Community Land Trust, with financial support from the City of Madison, succeeded in purchasing the property from the State of Wisconsin on December 28, 2001.

### **EXISTING SITE CONDITIONS**

Troy Gardens is bounded by Troy Drive to the south, Mendota Mental Health Institute to the west, the Central Wisconsin Center to the north, and numerous multi- and single-family homes to the east.

**Conservancy Site:** The MACLT has leased the 26-acre conservancy parcel to the Friends of Troy Gardens since December of 2001. The Friends of Troy Gardens (FTG) is a membership-based, 501(c)(3) organization specifically established to develop and manage the conservancy areas of Troy Gardens.

The 26-acre conservancy site is permanently protected under the terms of a conservation easement held by the Urban Open Space Foundation, which prohibits any uses which do not include conservancy and agricultural uses. The Urban Open Space Foundation (UOSF) has also provided considerable financial and staff support to Troy Gardens, focusing on the restoration of natural areas.

*The Conservancy Site is divided into the following use areas:*

- Troy Community Gardens: Troy Community Gardens are managed by FTG, and it is the largest and oldest community garden in Madison. The community gardens are at the heart of Troy Gardens. Located in the southwest section of Troy Gardens, the community gardens provide an entry point for individuals and households to get involved in the whole project. Community gardeners use the land to grow their own food, which has a positive impact on their household food security. Community gardens provide recreational outdoor activity as well as a fun and friendly environment for people of all ages, incomes, and cultures to work the land together and share their gardening knowledge and ideas. Community gardeners sign up for a plot each spring, paying a minimal fee to help defray the costs of site maintenance and management (tilling, mowing, plot layout, and provision of water, tools, and compost). Gardeners also assist in site maintenance and management through volunteer commitments. The community gardens also include a special plot with raised beds, for gardeners who have difficulty gardening on the ground.
- Troy Community Farm: Troy Community Farm is a certified organic farm on 5 acres in the northeast section of Troy Gardens. It is a Community Supported Agriculture (CSA) farm, with farm members receiving fresh, locally grown, organic produce each week for 21 weeks, beginning in June and ending in late October. The Troy Community Farm sells produce weekly at the Eastside Farmers Market, and at the Troy Farm Stand on Troy Drive. The farm just finished its third season of production.
- Natural Areas Restoration: Much of the Troy Gardens site is being restored to natural habitat. The Urban Open Space Foundation (UOSF) manages the natural areas restoration work at Troy Gardens. In the northwest section of the site, UOSF is planting a native prairie. A small maple woodland on the southwest edge of the site has been cleared of invasive, weedy species, and its edges planted with native trees, shrubs, and wildflowers. In the area between the native prairie and the community gardens, UOSF is in the process of creating several demonstration gardens, including an edible garden, a Hmong traditional medicinal and herb garden, and an ornamental prairie planting.

- **Other:** The site also includes a prairie council ring, edible landscaping, and an interpretive trail system for recreation and education about landscape features.

**Housing Site:** The housing site is a 5-acre parcel of land located in the southeast section of Troy Gardens, immediately to the east of the community gardens. It was formerly used for community gardening, and at present sits vacant awaiting the start of housing construction.

## DESIGN PHILOSOPHY FOR TROY GARDENS

**Maximize community involvement in decision-making process:** There have been numerous public forums and design charrettes spanning more than five years that resulted in the site plan for Troy Gardens. *The overarching goal at Troy Gardens is to honor the community's wishes for this 31-acre site.*

**Protect greenspace areas:** The 26-acre conservancy site is permanently protected under a conservation easement held by the Urban Open Space Foundation.

**Minimize the impact of motor vehicles and roadways on the site:** Roadways and parking on the housing site will be kept to the periphery wherever possible, in order to (1) protect the greenspace areas of the site, (2) minimize impervious surface area in order to reduce stormwater runoff, and (3) provide for greater safety for children. The only paved roadway on the conservancy site will be a short connector from the main vehicular entrance to a small parking lot for the community gardens<sup>1</sup>.

**Maximize accessibility for persons with disabilities:** All housing units at Troy Gardens will have barrier-free access to the first floor, and four of the units will be entirely barrier-free. All paved walkways at Troy Gardens will be barrier-free. The community building at Troy Gardens will be barrier-free. There will be barrier-free access from the community gardens' parking lot to raised-bed garden plots.

**Foster a sense of community for the people living, gardening, and recreating at Troy Gardens:** This is accomplished through grouping housing units around central courtyards, providing a community building available to all persons involved with Troy Gardens, as well as providing community gardening plots.

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<sup>1</sup> The parking lot itself will have two paved wheelchair-accessible parking spaces (asphalt), with the remaining six parking spaces to have a surface of crushed fines, in keeping with the conservancy nature of the site.

## DEVELOPMENT – CONSERVANCY SITE

The community gardens, farm, prairie, trail system, and restoration of other natural areas are well underway. Upcoming development will focus on the following areas:

- Continuing enhancement of natural areas, including restoration work on the community prairie in the northwest section of the site;
- Installation of a “hoop house” adjacent to the community gardens, for raising plants for the community farm;
- Construction of a small storage building near the farm for the storage of farm equipment. [See attached prototypical farm storage structure.]
- Construction of a small parking lot adjacent to the community gardens, for use by persons with disabilities, FTG staff, and for seasonal loading/unloading<sup>2</sup>;
- Development of the trail system, including a crushed-fine surfaced path heading north from the community gardens parking lot to the southwestern edge of the farm, to enhance accessibility for persons using wheelchairs, as well as to provide access to the farm site for farm equipment.

## DEVELOPMENT – HOUSING SITE

**Overview:** The design of Troy Gardens Homes is inspired by the Cohousing movement, resulting in a site plan that encourages residents to live in a cooperative manner, but still preserves areas of privacy for residents.

The housing site will consist of thirty units of mixed-income owner-occupied townhomes. Twenty of these townhomes will be sold at below-market rate prices to households at or below 80% of Dane County median income (also referred to as IDUs). The remaining ten townhomes will be sold at market-rate prices. Subject to successful completion of fundraising efforts, the plan also includes a “Common House”, which will serve as a focal point for Troy Gardens community activities.

[For details on Inclusionary Dwelling Unit Plan, please see IDUP and Plans dated and submitted on November 24, 2004.]

The site plan calls for two main residential clusters. Each cluster will have three four-unit buildings and one three-unit building, for a total of 15 units per cluster. There will be a large central courtyard in each cluster, which will contain flower gardens, play spaces for young children, as well as areas for socializing among the residents.

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<sup>2</sup> The Friends of Troy Gardens conducted a parking study, which concluded that there was sufficient parking available along Troy Drive to accommodate gardeners and other visitors to the conservancy site.

**Common House:** A Common House will be located in the west central section of the housing site. This Common House will serve as the focal point for community activities, and will provide space for shared meals, childcare, meetings, and which will also be made available for the same uses to any person or group that is involved in any aspect of Troy Gardens.

**Storage Building:** Adjacent to the Common House will be a small building that can be used for a workshop, paper/cardboard recycling, as well as storage for bicycles and maintenance equipment.

**Site Maintenance:** Because there will be no curbside trash pickup, there will be two fenced trash and recycling enclosures adjacent to each housing cluster. Snow removal and lawn care will either be handled by the residents themselves, or by contracting out these services, at the discretion of the Owners Association.

**Building Square Footage:** There will be a total of 50,548 square feet of residential living space constructed, 2,580 square feet for the community building, and 484 square feet for the community storage building. There will be 56 total surface parking stalls, including 3 wheelchair-accessible spaces (with the option of adding a fourth if needed). There will also be one designated loading area, as well as a bike rack for visitors.

**Unit Mix:** The proposed residential unit mix is as follows:

Building	2 bedroom	3 bedroom	4 bedroom	Total Units
One		2	1	3
Two		2	2	4
Three	2	2		4
Four		2	2	4
Five	2	2		4
Six		2	2	4
Seven		2	2	4
Eight		2	1	3
<b>Total</b>	<b>4</b>	<b>16</b>	<b>10</b>	<b>30</b>

<b>Project Team</b>
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**Current Owner:** Madison Area CLT Corp  
 [DBA Madison Area Community Land Trust]  
 Executive Director: Greg Rosenberg  
 131 West Wilson, Suite 400, Madison, WI 53703

**Developer:** Madison Area CLT Corp.  
 [DBA Madison Area Community Land Trust]  
 Executive Director: Greg Rosenberg  
 131 West Wilson, Suite 400, Madison, WI 53703

**Planner/Engineer:** JJR

Landscape Architect: Dan Williams  
Civil Engineer: John Kretschman  
625 Williamson Street, Madison, WI 53703

**Architect:** Glueck Architects

Project Architect: Jim Glueck  
116 North Few Street, Madison, WI 53703

**Attorney:** Foley and Lardner

Attorney: Tim Radelet  
150 East Gilman Street, Verex Plaza  
Madison, WI 53703

<b>Construction Schedule</b>
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Intended construction start date of Troy Gardens Homes is fall of 2005. Under the terms of the MACLT's HUD-EDI funding through the City of Madison CDBG Office, construction on the residential units at Troy Gardens is expected to be completed by the end of calendar 2006.

At present, we anticipate building the residential units in two phases of 15 units each, with the second phase beginning upon the construction and sale of the first 15 units. Phasing of residential unit construction will largely be determined by the percentage of units that have been pre-sold prior to the start of construction. Under the terms of our construction loan package, we anticipate pre-selling at minimum of ten (1/3) of the units prior to the start of construction.

Construction of the Common House may occur in either of the two phases, or may wait until after all residential units are completed, depending on when the MACLT's fundraising goal for the Common House is met.

Additional project information is enclosed in the accompanying application materials and supporting documents.

<b>Organizational Structure</b>
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**Housing Site:** The Troy Gardens Condominium Owners Association will be established as a nonprofit corporation under the Wisconsin Condominium Ownership Act to manage the common elements of the five acre-housing site. A set of covenants, conditions and restrictions for inclusion in the Condominium Declaration and the Condominium Association bylaws will be drafted by the developer's attorney and submitted to the Zoning Administrator prior to recording of the GDP/SIP documents. The restrictions will include policies regarding the use of the common areas, pets and nuisances, and restrictions regarding the leasing of units.

In addition, there will be a long-term ground lease between the Condominium Association and the MACLT (98 years, renewable at option of the association), which will govern the resale of all twenty of the designated affordable units (also known as IDUs) in the development. This restriction will limit the resale price of the 20 homes to (a) initial purchase price, plus (b) 25% of the increase in market value of the homes. In addition, the ground lease will require that all twenty of these units be resold at all times to persons at either (a) 80% of CMI (17 of the units), or (b) 70% CMI (3 of the units).

**Open Space:** The 26 acres of open space are leased under a long-term ground lease to the Friends of Troy Gardens, a nonprofit organization formed for the specific purpose of developing and managing the open spaces of Troy Gardens.

### **Impact on the Neighborhood**

The site plan for Troy Gardens reflects the desires of the surrounding neighborhood. From the beginning, neighborhood residents have had a central voice in the planning for Troy Gardens. This multi-year planning process was facilitated by the Northside Planning Council, which has played a crucial role in saving the 26 acres at Troy Gardens as community open space, as well as helping to broker an agreement with the neighborhood to limit the housing density at Troy Gardens to 30 homes.

*Troy Gardens provides many benefits to the Madison community, including::*

- Permanently preserving 26 acres of urban open space;
- Providing inexpensive community gardening space for low income households;
- Providing nature education programming for young people;
- Providing locally-grown organic food;
- Providing 20 units of permanently affordable owner-occupied housing in a neighborhood with one of the highest concentrations of subsidized rental housing in the city; and
- Providing a barrier-free neighborhood of 30 homes and a community building that can be accessed by all, regardless of disability.

### **Financial Viability of Project**

The City of Madison, through the CDBG Office, has committed \$901,779 in funding for the Troy Gardens project, in the form of long-term deferred mortgages that do not need to be repaid as long as the land and housing is being used in a manner consistent the terms of the mortgage documents. Of this, \$153,426 in CDBG funding was provided to cover the cost of purchasing the 26-acre conservancy parcel, and \$748,350 was provided to cover land acquisition, predevelopment, and construction costs relating to the 5-acre housing site.

Funding from the CDBG Office will provide subsidy for the 20 affordable units (IDUs), with additional subsidy funds to be generated from the 10 units that will be sold at market-rate prices.

Grant funding has been secured from the Madison Community Foundation (\$75,000), and the State of Wisconsin LHOOG program (\$37,000).

The MACLT will begin putting the construction loan package together in early 2005. To date, a number of lenders have expressed interest in providing construction loan financing this project, including the Dane Fund, AnchorBank, Home Savings Bank, and the CDBG Office.

### **Park Development Fees and Parkland Dedication Requirements**

For many years, the 26 acres of conservancy lands at Troy Gardens have served as a community resource park for Madison residents. This greenspace is, and will always be, open to the public during daylight hours 365 days per year.

The Friends of Troy Gardens (FTG) and the Urban Open Space Foundation (USOF) have fundraised substantial sums in order to restore the natural areas of Troy Gardens, as well as to develop the interpretive trail system. Most recently, the State of Wisconsin Department of Natural Resources has provided \$112,700 in funding to continue the restoration work of Troy Garden's natural areas.

In addition, volunteers have devoted many evening and weekend hours the past three years to help with restoration activities at Troy Gardens, under the supervision of both FTG and UOSF.

Therefore, in light of (1) the intended purpose of the conservancy lands to be a community resource park open to all Madison residents, and (2) the substantial expenditure of money and volunteer time made to date to restore the natural areas of this conservancy land, the MACLT requests a waiver from park development fees and parkland dedication requirements.

### **Certified Survey Map Application**

The MACLT will be submitting a CSM application for Troy Gardens within 60 days of the submission of the PUD/GDP/SIP application.

[Note: there will be no subdivision of land requested as part of the CSM application.]