

Firchow, Kevin

From: ssilver chorus.net [ssilver@chorus.net]
Sent: Wednesday, July 06, 2011 4:05 PM
To: Firchow, Kevin
Cc: Randy Bruce; White, William F (22246); jleja@me.com; Bradley Zellner
Subject: Re: 1001 University Avenue

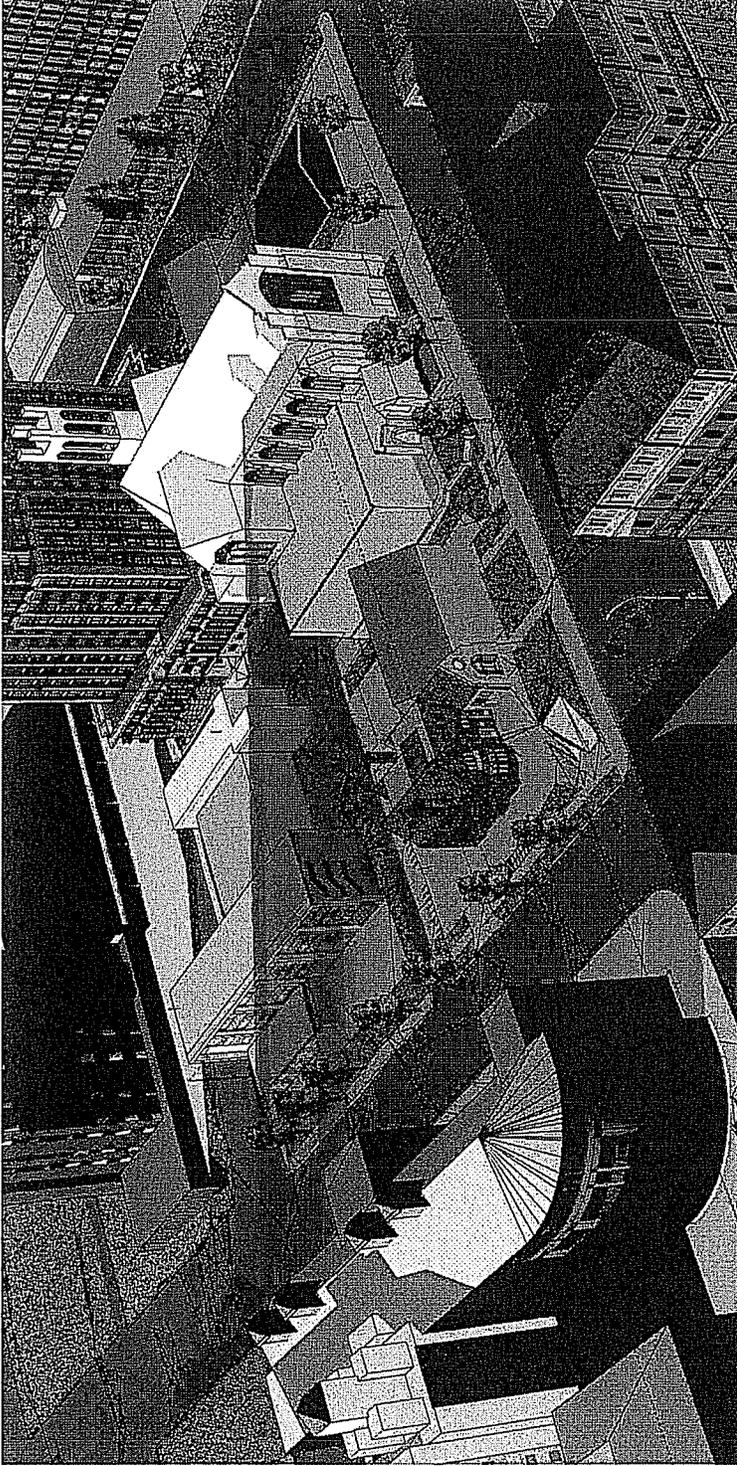
Hi Kevin,
the attached clarification is per your request.

The attached design studies #8 and #9 are intended to demonstrate what a building might look like that casts no additional shadow on LMC stained glass windows. As a reminder, the current refined 1001 University Ave. proposal is about 2/3rds the size of Grand Central and includes retaining the original St. Francis House (SFH) on site.

Design Option #8 includes relocating and retaining the original SFH on site while deconstructing the 1964 addition. It would contain about 37 units, and be about 40% the size of the current refined proposal. This design concept has been closely analyzed and is not financially feasible due to its size. Design Option #9 includes the deconstruction of all SFH buildings. It would contain about 49 units, and be about 55% the size of the current refined proposal. This design concept has been closely analyzed and is not financially feasible due its size. The relocation of SFH to another site makes this design option even more unfeasible.

Regards,
Steve Silverberg

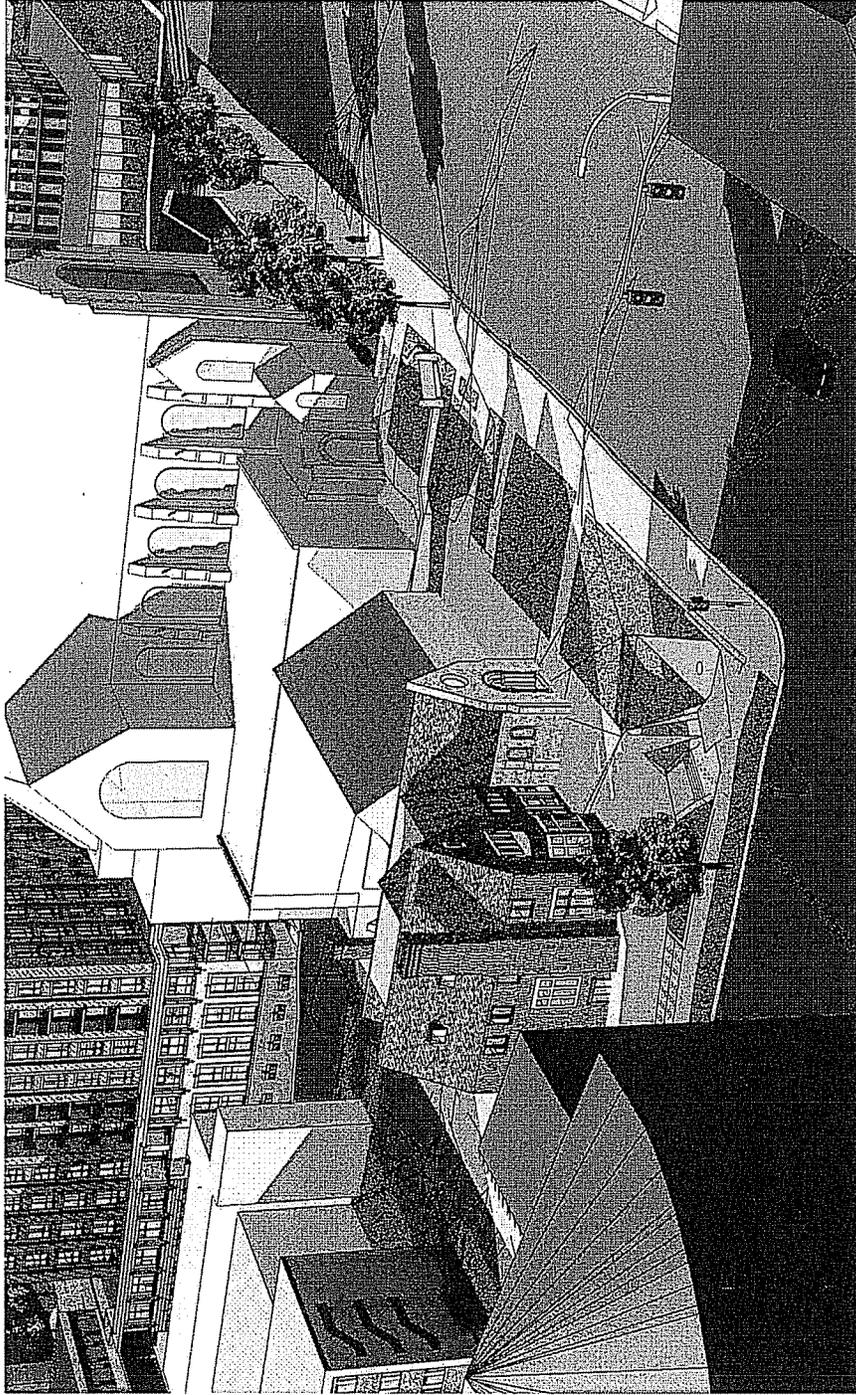
EMAIL CLARIFICATION
FROM THE APPLICANT



Granger Hall Shadow on November 1, 8am

1001 University
Existing Conditions - Sun Study
June 29, 2011

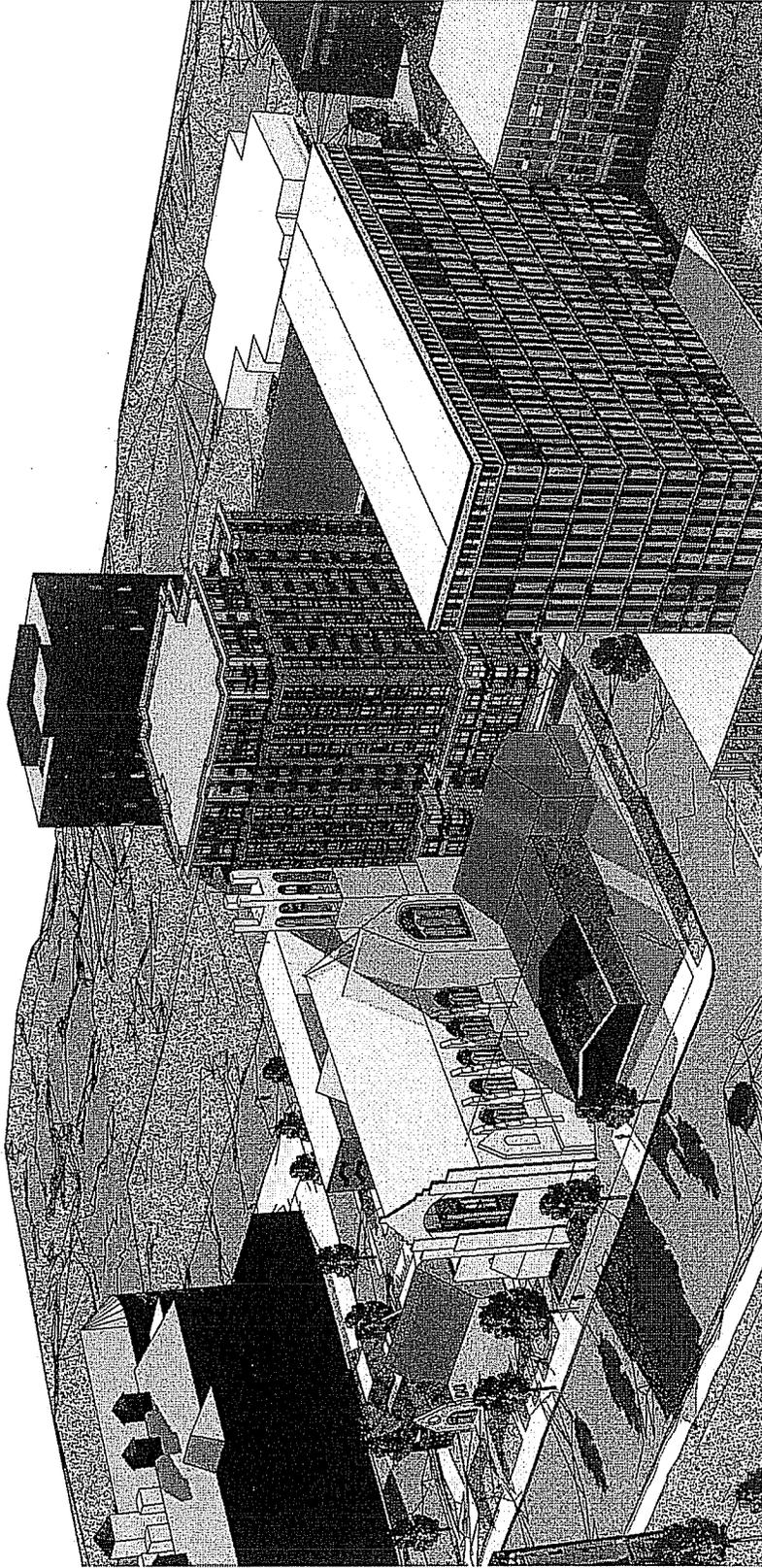
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Project # 1007



Luther Memorial Shadow on November 1, 10:30 am

1001 University
Existing Conditions - Sun Study
June 29, 2011

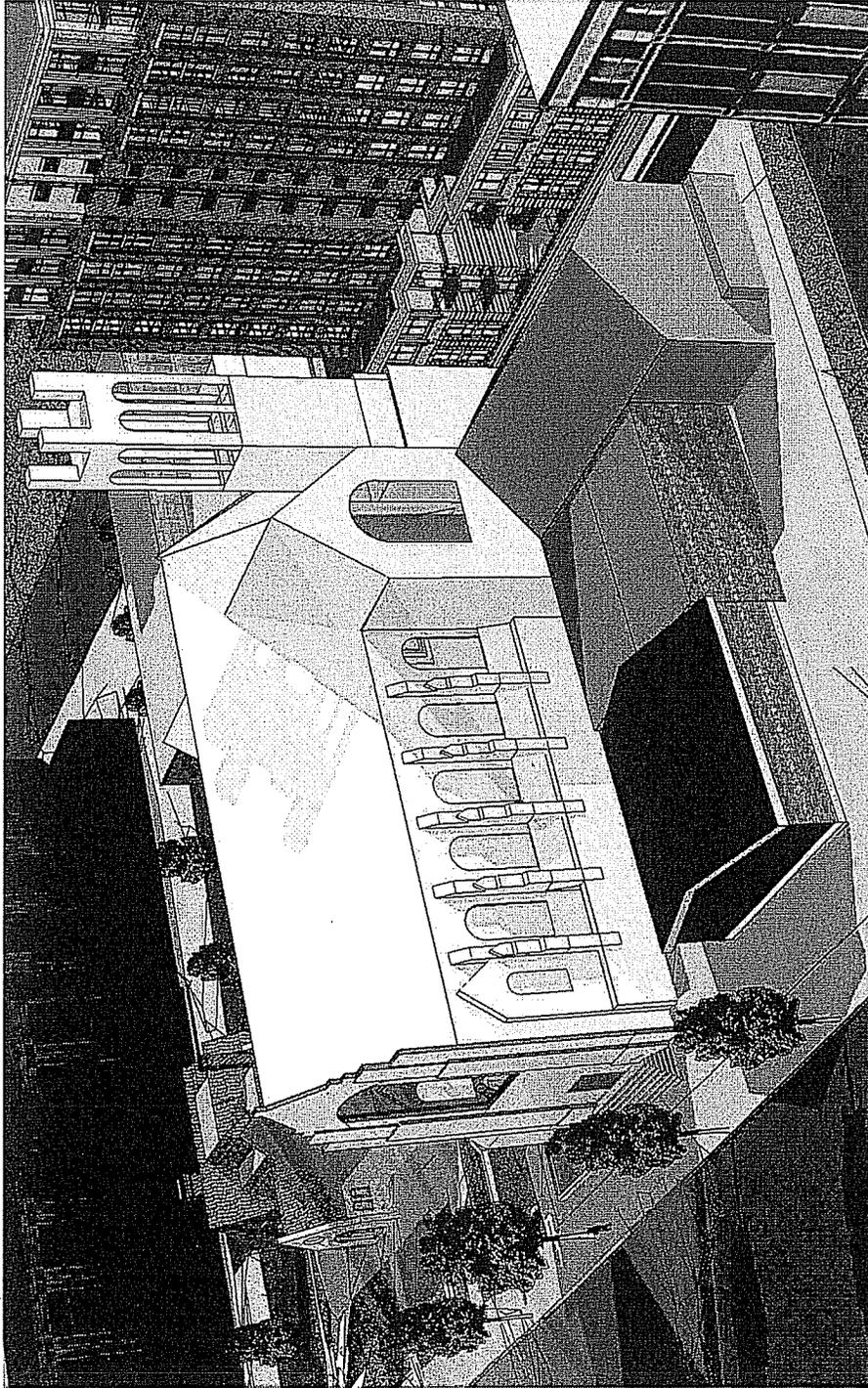
**KNOTHE
& BRUCE**
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Project # 1037



Grand Central Shadow on November 1, 12pm

1001 University
Existing Conditions - Sun Study
June 29, 2011

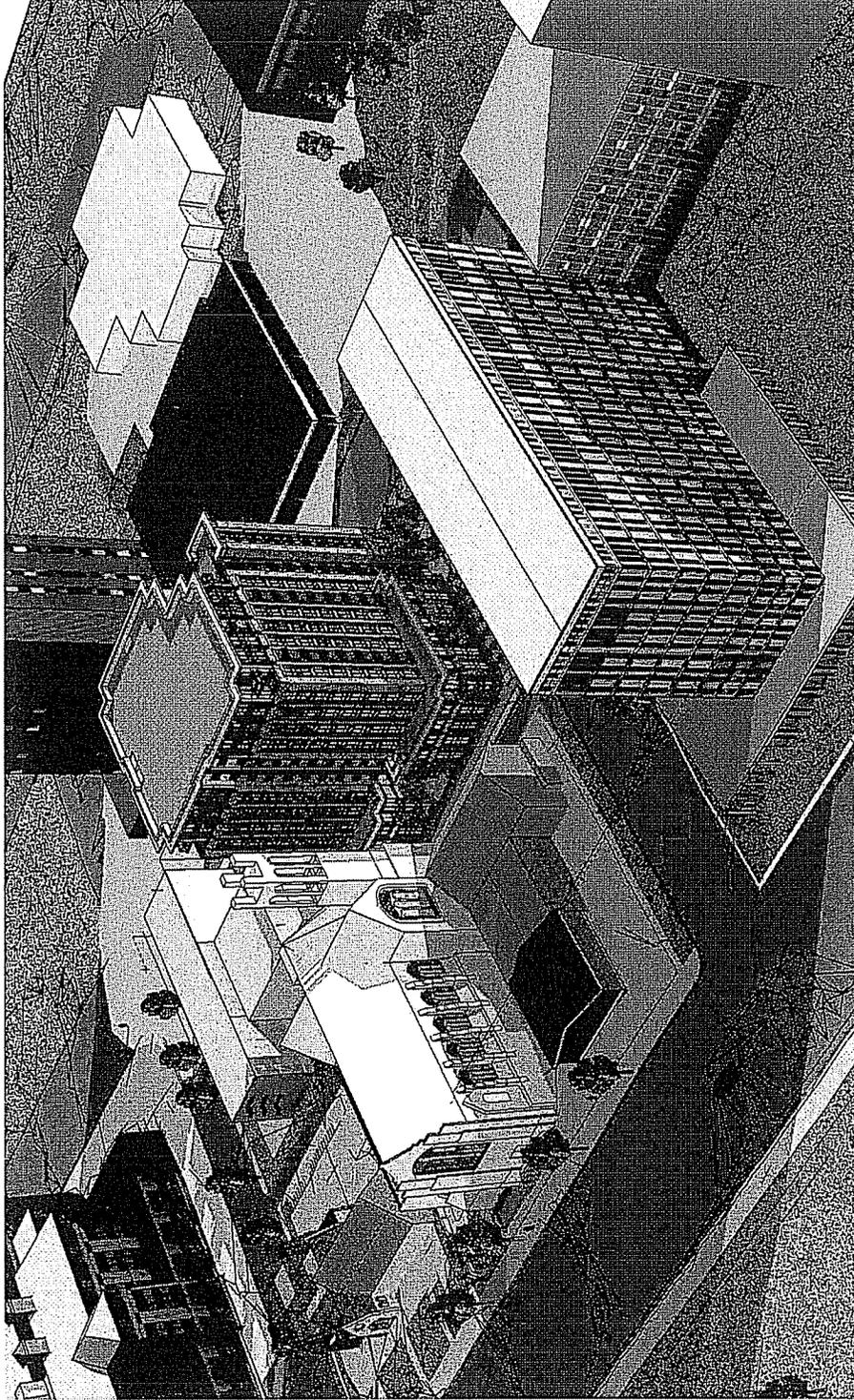
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& BRUCE
ARCHITECTS
Project # 1027



Luther Memorial Shadow on November 1, 2:00 pm

1001 University
Existing Conditions - Sun Study
June 29, 2011

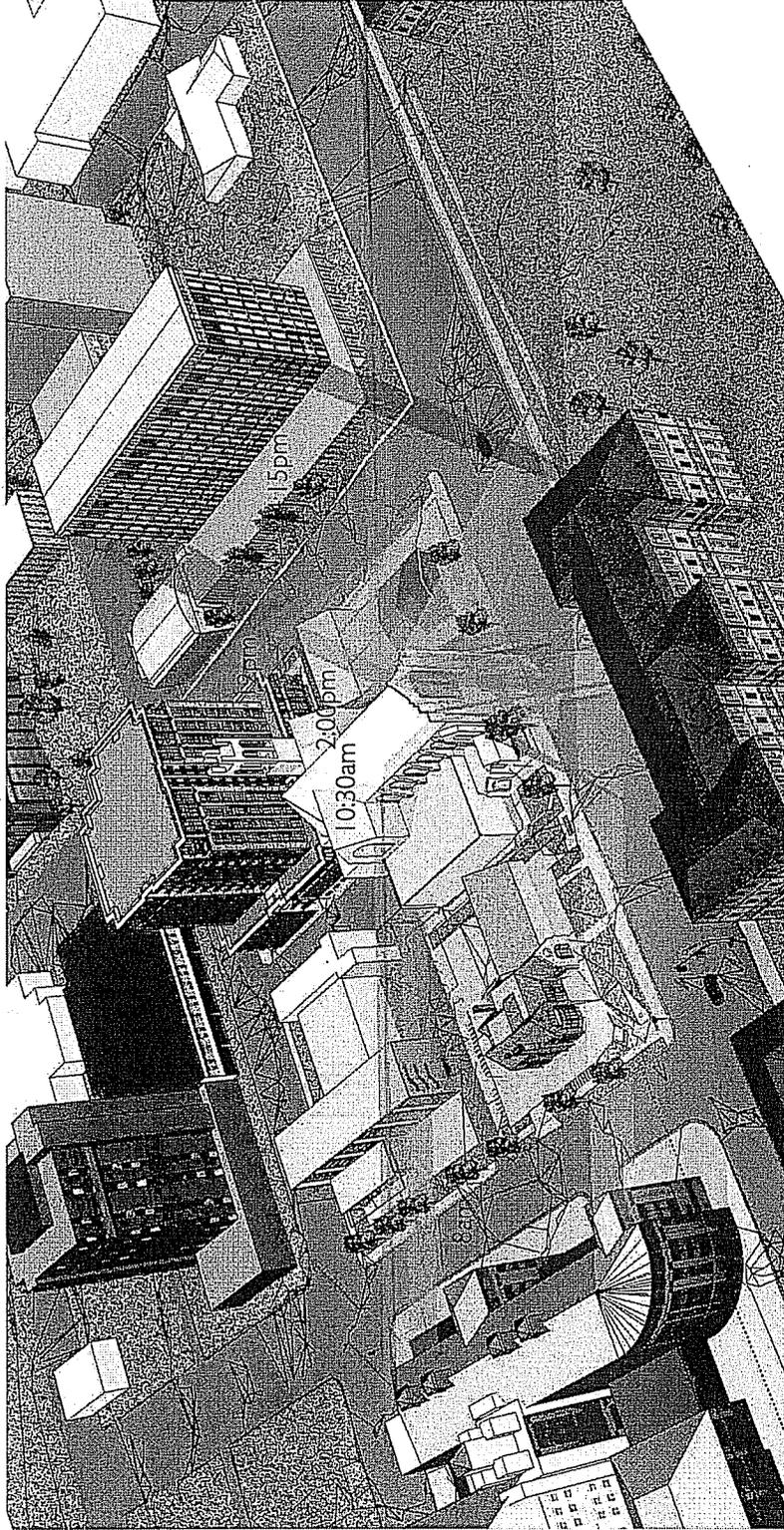
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Chemistry Building Shadow on November 1, 4:15pm

1001 University
Existing Conditions - Sun Study
June 29, 2011

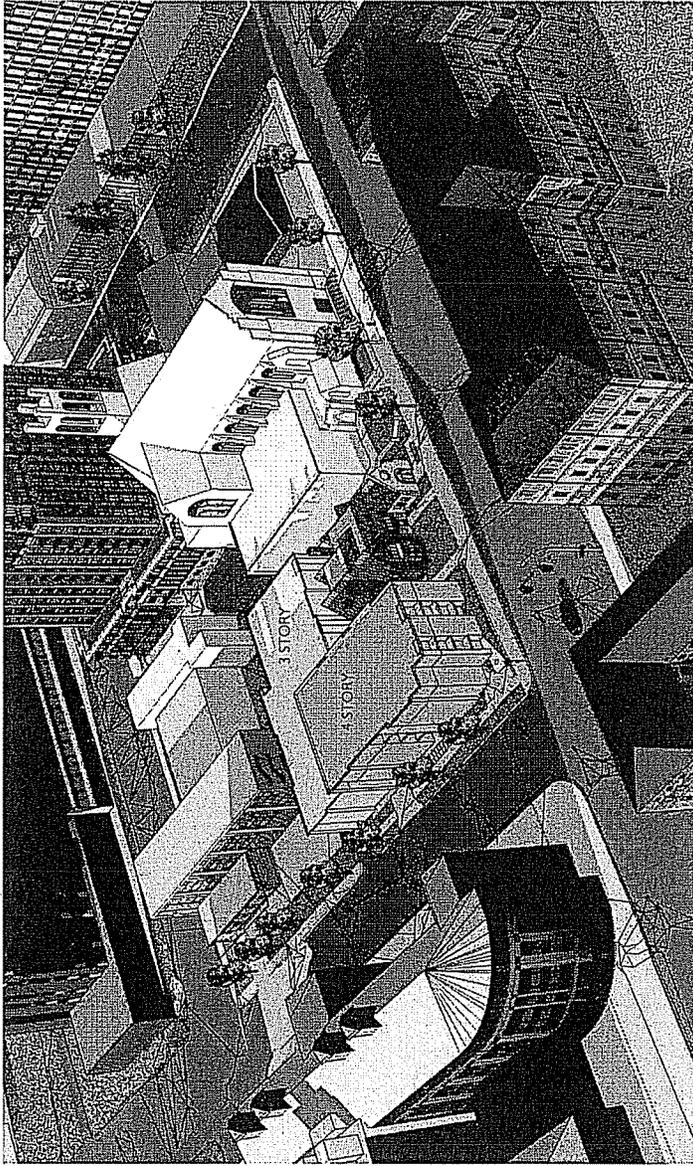
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Shadows affecting Luther Memorial November 1, 8:00am, 10:30am, 2:00pm, 4:15pm

1001 University
 Existing Conditions - Sun Study
 June 29, 2011

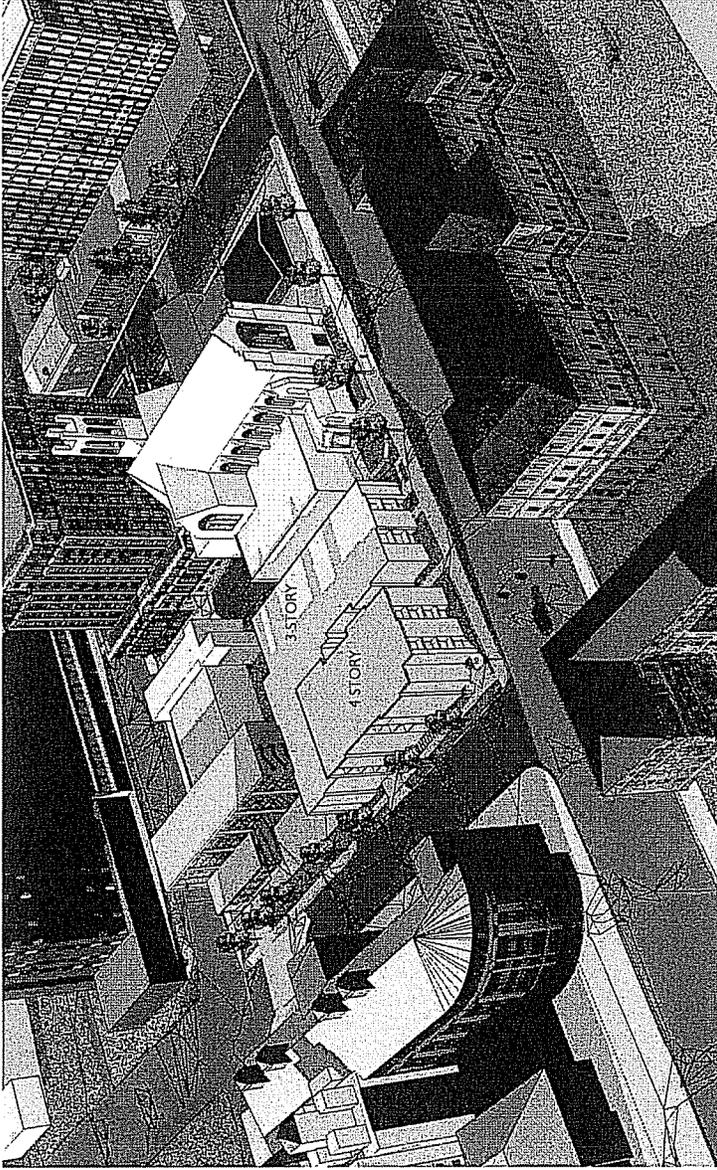
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Option 8 Shadow on April 1, 8:00 am

1001 University
Design Option 8
37 Apartments and 101 Bedrooms
June 29, 2011

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Project # 1007



Option 9 Shadow on April 1, 8:00 am

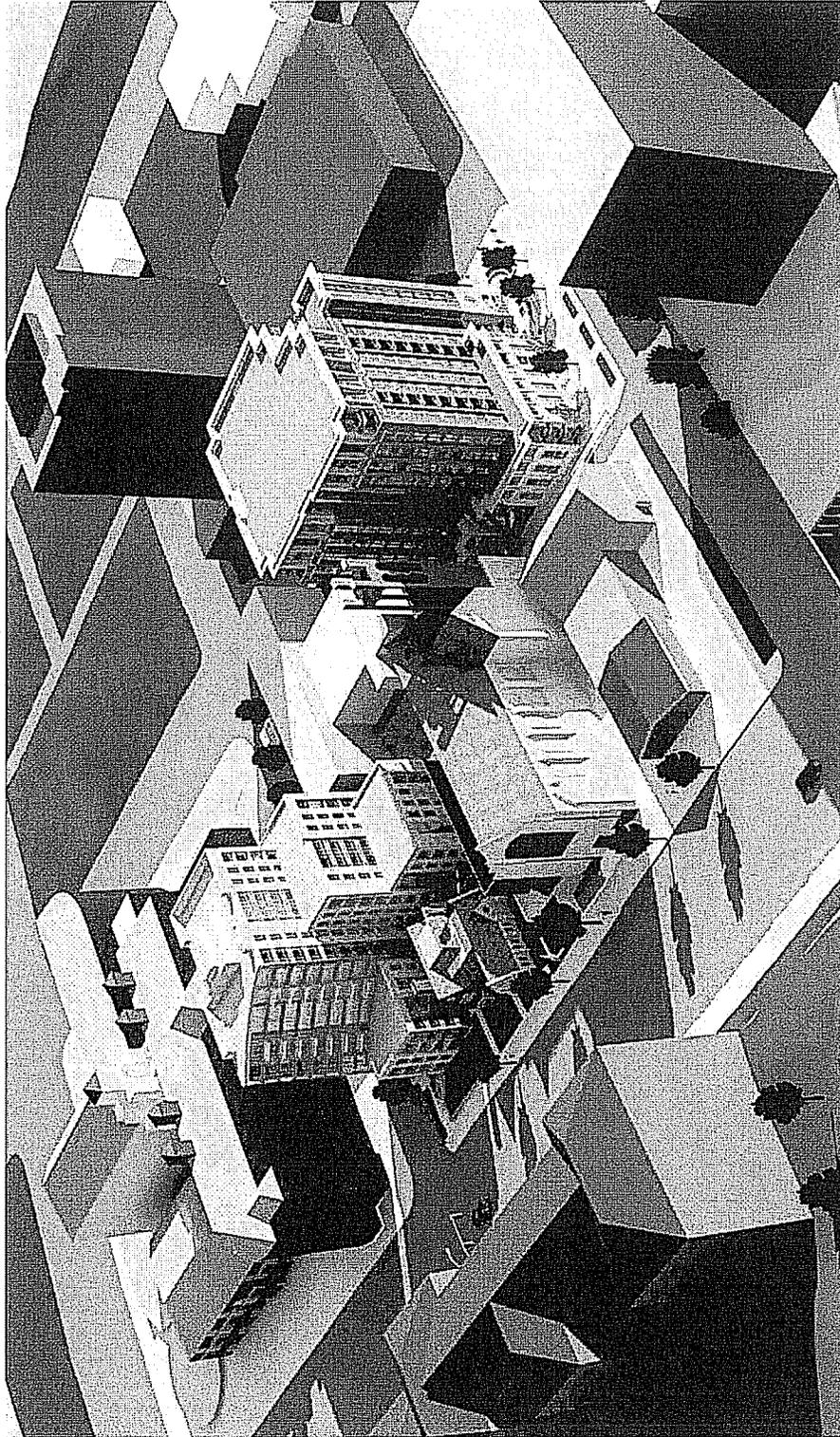
1001 University
Design Option 9
49 Apartments and 153 Bedrooms
June 29, 2011

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1001 University
Development Proposal-Perspective #1
June 29, 2011

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Project # 1027



1001 University
Development Proposal-Perspective #2
June 29, 2011

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Project # 1077

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July 7, 2011

City of Madison Plan Commission
c/o City of Madison Department of Planning and Development
Room G100
215 Martin Luther King, Jr. Boulevard
Madison, WI 53709

Re: Proposed Redevelopment of St. Francis House, Legistar No. 22443

Dear Friends:

This letter is sent on behalf of LZ Ventures, the partner with St. Francis House of the Episcopal Church in redeveloping the site at 1001 University Avenue. During the Plan Commission presentation on June 20, 2011, the Commission requested that LZ Ventures show what the site would look like if the building cast no shadow on the nearby building of Luther Memorial Chapel. This letter addresses that question as well as certain items which came up during the public hearing.

1. Shadow Studies.

On June 30, 2011, Randy Bruce, LZ Ventures' architect, submitted additional shadow studies showing what the site would look like if the proposed residential building was reduced in size to cast virtually no shadow on Luther Memorial. As seen in the graphics labeled "Option 8" and "Option 9," the proposed student housing loses virtually all of its architectural significance and resembles a Motel 6. In any event, the price of constructing the project in such a reduced fashion, to avoid a few minutes of shadow on Luther Memorial Chapel, renders the project financially infeasible under either of those options.

Interestingly, in running the shadow studies, we discovered certain things. First, Grainger Hall already casts a shadow on Luther Memorial's stained glass windows during certain months. Luther Memorial does not complain about that. In addition, the U.W. Chemistry Building casts shadows on Luther Memorial's stained glass windows every single day of the year. Luther Memorial does not complain about that. And, Luther Memorial itself casts shadows on its own stained glass windows as the sun progresses from east to west. Apparently that is not a problem for Luther Memorial. Finally, and interestingly, for over 80 years, Luther Memorial Chapel has cast a shadow entirely over St. Francis House every single afternoon of the year. Apparently that is not a problem for Luther Memorial. *We submit that if these many existing shadows already cast upon Luther Memorial do not lessen its enjoyment of its site in the center of the campus in a highly developed urban area, then neither will the minimal additional shadow created by a building constructed 140 feet away.*

2. Comprehensive Plan

An interesting discussion ensued from one of Luther Memorial's parishioners as to whether or not this project is consistent with the City's Comprehensive Plan. Among the recommended land uses for this site are student, faculty and employee housing, student-oriented retail,

AGENDA ITEM NO. 8

service, dining and entertainment, along with other institutional uses (Comprehensive Plan p. 2-104). This proposed residence clearly fits within these recommended uses and is fully consistent with the City's own Comprehensive Plan. This was noted by the Staff Report. Finally, the Assistant City Attorney prepared a memorandum to the Plan Commission dated June 17, 2011 which indicates that the proposed development is consistent with the Comprehensive Plan and that there is no separately designated "religious use" which could be used as a standard by which to judge consistency.

3. Consistency With Demolition Permit Standards in MGO Section 28.12(12).

The Commission specifically questioned whether subsection (c)1.b. of the Demolition Permit Standards applied to determine whether or not the relocation of the St. Francis House to an area of the site adjacent to Luther Memorial Chapel is consistent with various City plans. We submit that the relocation of the 1929 structure is entirely consistent with the art and architecture of the 1921 Luther Memorial Chapel. Furthermore, the demolition of the nonfunctional 1964 sanctuary addition is also consistent with the demolition standards. In point of fact, much of that addition will be recycled and reused including its windows and other structural elements. As noted by the Preservation Planner, the relocation of St. Francis House to be adjacent to Luther Memorial is not inconsistent with the art and architecture of those two buildings.

4. Consistency with Planned Unit Development Standards in MGO Section 28.07(6).

A question was raised in the course of the Plan Commission's discussion on June 20 as to whether or not the proposed use is consistent with surrounding land uses within the meaning of PUD standards, MGO Section 28.07(6)(f)1.a. Clearly, the use of a portion of the St. Francis property for residential housing designed to primarily house students is entirely consistent with the standards for PUD approval. Already on this block is transitional housing sponsored by Porchlight as well as Grand Central which provides quality, secure and energy efficient housing for students. It is beyond question that students should live in the heart of the campus. It is exactly where the City has designated high intensity residential use to occur, i.e. this is zoned R-6. Finally, students have actually lived in St. Francis House for many, many years, thus establishing the residential use.

5. Luther Memorial's Position.

We have recently seen Luther Memorial's letter to its parishioners urging them to furiously lobby members of both the Plan Commission and the Common Council. While we have tried to take the high road in this discussion over the future development of the Episcopal Church's property, Luther Memorial's approach is cynical in the extreme. First, Luther Memorial secured approximately \$1.5 million in financial benefit from the construction of Grand Central. The benefit was not only in the form of a cash payment to Luther Memorial, but also by securing 25 perpetual, protected, underground parking stalls for their sole and exclusive use at no cost. Somehow their new-found opposition to Grand Central has not resulted in them relinquishing any of the benefits they realized.

City of Madison Plan Commission

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Second, Luther Memorial has candidly indicated it has tried two or three times to purchase their rival Episcopal Church's property for their own use. They are clearly using the approval process to frustrate the Episcopal Church's efforts to achieve the exact same benefit Luther Memorial itself has achieved through Grand Central. Evidently, if they cannot own the Episcopal Church's property, they will try to use this Plan Commission's process to control that property.

Finally, Luther Memorial's use of the landmark process is calculated and plying. While their property has been eligible for landmark status over 30 years, they just now submitted the landmark status application in yet another effort to frustrate the Episcopal Church's ability to maintain and secure the viability of its student ministry on campus. However, their untimely efforts to landmark the building will not affect this Plan Commission's orderly consideration of this application.

We will be present on July 11 to present the points noted above. We regret that this matter has wandered away from the goals of what is best for the City of Madison and the University and its student community and instead focused solely on one adjacent property owner which has voiced only self-centered concerns.

We look forward to meeting with you on Monday evening.

Sincerely,

MICHAEL BEST & FRIEDRICH LLP



William F. White

cc: Alder Scott Resnick
Attorney Kevin Delorey, Attorney for St. Francis House
Attorney Elizabeth Orelup, Attorney for St. Francis House
Sam Polstein, ASM
Hannah Somers, ASM
Steve Schooler, Porchlight
Bradley J. Murphy, Planning Director
Kevin Firchow, Principal Planner
Jason Tish, Madison Trust for Historic Preservation
Amy Scanlon, Preservation Planner
Anne Monks
LZ Ventures
J. Randy Bruce, AIA
Steve Silverberg
James Stopple
Attorney Harvey Temkin, Attorney for Luther Memorial Chapel

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