White, William F (22246)

From: kevin.newell@royal-cg.com

Sent: Monday, November 12, 2012 11:29 AM

To: White, William F (22246)

Cc: Mike Mervis

Subject: Call with the School District

Bill:

I talked with Andrew Stotts from the Madison Metropolitan School District on Friday. Based on information provided, Andrew was able to provide the following data and feedback in regards to the District and the area's ability to service Nob Hill post construction:

- 1. Based on the addresses for Nob Hill, he was able to tell us that 109 school age kids currently live at Nob Hill; this excludes the kids who may attend private or another form of school.
- 2. He said that the School Area that Nob Hill is in is not overcrowded. In December he will be presenting to the school board his full report on the next 5 year projections for the District. According to him Madison has been witnessing a decline in family size and the number of school age children. This trend he says is projected to lead to even less children in the District over the next five years.
- 3. The District does not use a bedroom count in its statistical analysis rather they use other statistical metrics including average family size, current and historical trends, school growth plans etc. A project change of this nature (272 units to 254 units but adding 34 bedrooms) is not of any concern for the school area as it relates to serving current and future students. He stated as an example that if we were building an additional 200 new homes in a cornfield near Kennedy St. then his analysis would potentially be different.

Overall his professional opinion suggests that based on projections and school plans that the School District is confident in its ability to appropriately service Nob Hill post construction.

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MICHAEL BEST

& FRIEDRICH LLP

November 15, 2012

Alder Shiva Bidar-Sielaff 2704 Kendall Avenue Madison, WI 53705



Michael Best & Friedrich LLP Attorneys at Law

One South Pinckney Street Suite 700 Madison, WI 53703 P.O. Box 1806 Madison, WI 53701-1806

Phone 608.257.3501 Fax 608.283.2275

William F. White
Direct 608.283.2246
Email wfwhite@michaelbest.com

RE: Nob Hill Apartments, 1108 Moreland Road, City of Madison

Dear Alder Bidar-Sielaff:

This letter follows on our letter dated November 7, 2012, (a copy of which is attached) concerning why the Common Council should uphold the October 2, 2012 decision of the Plan Commission to modify an existing Conditional Use Permit ("CUP") for the Nob Hill Apartments. Since the date of that letter, several very interesting and positive things have happened.

First, inquiry to the Madison Metropolitan School District has indicated that their current pupil count from Nob Hill is 109 and their projections indicate that there is more than enough capacity within the existing Madison Public Schools to continue to serve all of the children from this neighborhood now and after redevelopment. Apparently, one of the appellant's concerns was that there would be too many children. This is clearly not the case.

Second, the appellant ordered a surprise building inspection to be done to the Nob Hill Apartments. There were no major violations reported and, in fact, Nob Hill is in fairly good shape given its age (40 years). Certainly, the infusion of capital by Nob Hill Apartments LLC into this project will create a better living environment for those folks who live there and those that we believe will be attracted to this upgraded neighborhood.

Third, we are enclosing a copy of a petition signed, not only by residents but also by the nearby neighbors indicating the support for the upgrade and renovation of the neighborhood.

Finally, we are pleased to report that we have had lengthy conversations with Carmen Porco, the Executive Director, Housing Ministries of American Baptists in Wisconsin. Our collaboration with Rev. Porco will, we believe, yield a very positive approach to providing support to the tenants of Nob Hill in a wide variety of areas and pursuits. Rev. Porco's track record in the Northport Drive area represents a success story that is worthy of duplication at Nob Hill.

MICHAEL BEST

November 15, 2012 Page 2

We thank you for your support and look forward to validating the Conditional Use Permit that was issued by your Plan Commission on October 2, 2012. If there are any questions prior to the appeal hearing on November 27, 2012, please do not hesitate to contact Mike Mervis at (414) 274-2551, office or (414) 870-7958, cell phone.

Sincerely,

-MICHAEL BEST & FRIEDRICH LLP

William F. White

Enclosure

CC:

Honorable Paul R. Soglin

Alder Timothy V. Bruer

Steven R. Cover, Director-Dept. of Planning & Community & Economic Development

Bradley J. Murphy, Director, Planning Division Kevin Firchow, Planner, Planning Division

Natalie Erdman, CDA Director

Noble Wray, Chief

Joe Balles, Captain, Police Department

Cora White

Carmen Porco, Executive Director, Housing Ministries of American Baptists in Wisconsin

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Phone 608.257.3501 Fax 608.283.2275

Madison, WI 53701-1806

William F. White
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BY HAND DELIVERY

November 7, 2012

Honorable Paul R. Soglin Office of the Mayor 210 Martin Luther King Jr. Blvd., Room 403 Madison, WI, 53703-3345

Re: Redevelopment of Nob Hill Neighborhood

Dear Mayor Soglin:

We have been asked to assist Zilber Ltd., ("Zilber") the acquirer of Nob Hill Apartments, LLC concerning the October 2, 2012 approval of a Conditional Use Alteration for the Nob Hill Apartments at 1108 Moreland Road, in the City of Madison. An appeal of the Conditional Use Permit which was issued by the City of Madison Plan Commission on October 1, 2012 will be heard by the City of Madison Common Council on November 27, 2012. A two-thirds vote, or 14 votes, will be necessary to overturn the decision of the Plan Commission.

It should not be overturned for a variety of reasons.

- Zilber has worked with your staff, Planning Commission staff, and the Police Department to modify their original proposal. It is my understanding that all changes, including advanced security cameras and extensive site lighting have been reviewed and approved by the parties involved. Zilber has committed to execute all of the requirements as approved.
- Nob Hill is not a new project nor an isolated development. Residents have access to a full range of services nearby. Please see the attached list of linkages.
- 3. This is an existing, but declining, apartment complex. Zilber will invest more than \$10,000,000 into the renovation and upgrading of this community. In addition to commercial financing, the Wisconsin Housing Economic Development Authority ("WHEDA") will authorize the use of federal tax

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Mayor Paul R. Soglin November 7, 2012 Page 2

credits to halt the decline of this apartment complex and turn it into a community.

- 4. The Zilber improvements will provide:
 - New recreational facilities;
 - A new community center;
 - Complete interior refurbishment of each living unit;
 - Complete exterior façade refurbishment;
 - New landscape improvements;
 - New extensive site lighting to vastly improve security in the neighborhood;
 - State-of-the-art security and safety systems, including security cameras;
 - Handicapped accessible units; and
 - Vegetable Gardens & Fruit tree plantings
- Twenty-six three-bedroom units will be created by combining a number of one bedroom units. This is consistent with and pursuant to the City's Comprehensive Plan.
- 6. Staff and Planning Commission have both praised and approved the management plan and the third party management firm, ACC, which has considerable experience in dealing with urban housing.
- 7. The density of existing units will decrease from 272 to 254. While the number of bedrooms will increase from 412 to 446, this represents an approximate 0.5% increase in the number of bedrooms in the Nob Hill Service Area of over 6,300 bedrooms.
- 8. The City of Madison through its Social Service Agencies, Madison Metropolitan School District and the Madison Police Department have all praised the proposal of Zilber to upgrade and enhance the security of the Nob Hill neighborhood through the improvements to be implemented by Zilber.
- 9. Zilber will hire a <u>full-time</u> community coordinator for the purpose of providing onsite social services and community support who will also identify the services most needed by residents of Nob Hill. Zilber is working closely to develop mutually beneficial arrangements with Cora White and the Resilience Neighborhood Center in order to provide additional services to the community. Ms. White has agreed to work with Nob Hill.

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& FRIEDRICH LLP

Mayor Paul R. Soglin November 7, 2012 Page 3

Doing nothing to save this neighborhood is not an option. The incentives created and administered by the State of Wisconsin, to upgrade and enhance the neighborhood community of Nob Hill can and will make a difference. The proposed redevelopment will definitely enhance the sense of community and sense of mutual support and neighborliness which is so critical for this existing complex. Given this proposal (made stronger by your staff) with overwhelming support from residents and not seeing any reasoned argument for the appeal; we ask for your support. I would hope that as you have said so often during your service to this city: "the Mayor is elected by all the people and that is who I serve". On behalf of the Residents of Nob Hill, Zilber Ltd. and Royal Capital Group ask you to support your Plan Commission and assure the present and future residents of Nob Hill have fair and equal housing.

We are ready to meet and discuss this project with you or any members of your staff. Please let me know at your earliest convenience of a time and date for the meeting. We look forward to continue to work collaboratively with the City Staff on this project. In the meantime, please contact me at either 695-4946 (cell) or 283-2246 (work).

Sincerely,

MICHAEL BEST & FRIEDRICH LLP

William F. White

cc:

Alder Timothy V. Bruer

Members of the City of Madison Common Council

Steven R. Cover, Director-Dept. of Planning & Community & Economic Development

Bradley J. Murphy, Director, Planning Division

Kevin Firchow, Planner, Planning Division

Natalie Erdman, CDA Director

Chief Noble Wray, Madison Police Department

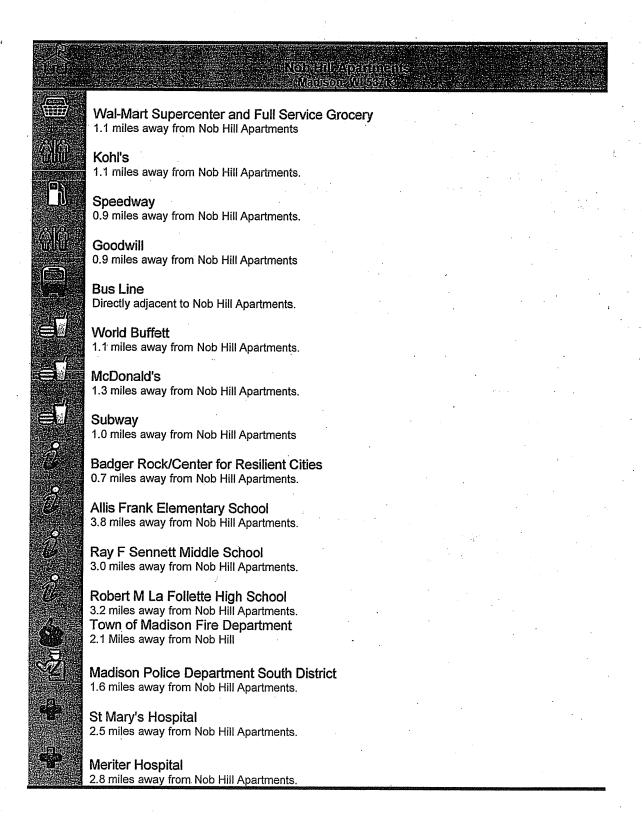
Joe Balles, Captain, Madison Police Department

Cora White

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Neighborhood Linkages

In addition to its close proximity to the travel corridor the Beltline, below is a listing of services, linkages, bus line, eateries, grocery and other in close proximity to Nob Hill currently. A survey of the current residents of Nob Hill suggest that the property is well located in proximity to these and other desired points of destination.



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Name (Please print) Victoria Dunse	
Address 1044 Moorland Rd #116	
Signature Houla Wiley Name (Please print)	_ Date <u> </u>
Name (Please print)	
Address 1112 Moorland #109	
Signature ROSALIO FLORES	_ Date 3/13/12/1
Name (Please print) DOSALO PLONES	
Address ///B MOOFland Pid, # 174	
Signature Chypan Browl	
Name (Please print) Chiay BORN Brooks	
Address 1/04 Moorbaid DA John	

Signature 1 and 1920	Date 8/13/12
Name (Please print) Paul Harro	
Address 1116 Morland F13 (03	
Signature R. Mour Name (Please print) <u>Pennis GROSS</u> Address <u>//// Moorland R.d. #/05</u>	Date 8/13/12
Signature for for formal policies Address 1/32 more lend of 2/3	Date <u>3/13/17</u>
Signature <u>Papel</u> Name (Please print) <u>Bourdicke finovy</u>	Date <u>\$ /13/12</u>
Address Ho-1126 Moonland Rd	上包 2年
Signature Daniel Do Sal	Date <u>8/13/12</u>
Address, 11/8 moorland Rd #8	
Signature <u>and Andis Dail</u> Name (Please print) <u>Andis Dail</u>	Date 8/14/12
Address 1/32 MODELHAL Rd Apt 17/14	

	ce 1// 12
Signature Tillanual an McCanno	Date <u>8-14-12</u>
Name (Please print) Trawanda Aclaims	
Address 1124 MOUNGARD RA # 104	
Signature Tale	Date 8-14-12-
Name (Please print) CATHY 1/ALE	
Address 1030 # 2 SMOP (EMPLOYE	٤)
Signature Karen Chenne	Date 8-14-12
Name (Please print) Kaven Cheniev	
Address 1030 # 2 Shop (Employ	(les)
	•
Signature / ane /al	Date 8-14,2
Name (Please print) David & Valo	•
Address 1030#2 Shop Employ	e e
Signature Maria Torves	Date <u>8 - / Y - /</u> >
Name (Please print) Maria Torres	
Address 1030 # 20	
Signature <u>Olmus</u> Jeles	Date 8 - 14 - 12
Name (Please print) $\overline{DENNS} FIFCH$	
	105-
Add 655 /// / ///// / ///// /////////////	

Signature Dela Plackwell	Date <u>8-14-12</u>
Name (Please print) Deshie Blackwoll	
Address IDUI Moorland # 115	
Signature Molana Pttha	Date 8-14-12
Name (Please print) Melissa Politicas	
Address 1038 Moodand Rd #101	
	,
Signature Live Brown	Date 8-14-12
Name (Please print) Here Prairie Sur Brai	wa d
Address 103/2 and 103 # 11/	AV ((A
Address 1034 moorland Rd #116	
Signature Mary Ale Gon	Date 5-14-12
Signature hary Ale you Name (Please print) Mary Re Young	Date 5-14-12
Signature hary Ale you Name (Please print) Mary Be. Young Address 1036 Moorland Rd #115	Date <u>5-14-1</u> 2
Address 1036 Moorland Rd #115	Date <u>5-14-1</u> 2
Address 1036 Moorland Rd #115	
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Signature Deplace Moorland Rol # 115 Name (Please print) Ling Marshall	
Address 1036 Moorland Rd #115 Signature On January	
Address 1036 Moorland Rd #115 Signature On Marshall Name (Please print) Ling Marshall Address 1034 mosil and 209	Date 8 14-17
Signature Moorland Rol #115 Name (Please print) Lir Marshall Address 1034 mosil and 209 Signature / Ommy Dinch	
Address 1036 Moorland Rd #115 Signature On Marshall Name (Please print) Ling Marshall Address 1034 mosil and 209	Date 8 14-17

Signature Abimoel Ambrocro - Al MA Kobielquez Date:8-14-2012
Name (Please print)
Address 1112 moorlandy Rd # 211
Signature Date 8/14/12
Name (Please print) /// X)
Address # 11/2 moorland # 5
Signature Local Date 5/14/12
Name (Please print) DE (OVES WEbster
Address 1120 Moorefand (1) 11
Signature
Name (Please print)
Address 1118 mor land Road # 216
2-110
Signature Date 8-14-12
Name (Please print) SIMON GILLIMAN
Address
Signature Date Date
Name (Please print) TERRANCE COOPER
Address 130 Moor on Pd Apt 110

Signature Alondra Goncalez	Date 8-15-12
Name (Please print) Alondra hondic	
Address 1130 moorland Rd #	209
	$\alpha l - l \alpha$
Signature	Date <u>8/15/12</u>
Name (Please print) Diego Valdivia	0.10
Address 11/2 Moorland Rd #	210
	0//
Signature	Date 8/18/12
	Victor Colmita
Address 1/20 moosland Bo #109	
Signature ADMINO Junt	Date <u>08-15-12</u>
	_ Date <u>O(\ 19) \ \ 12</u>
Name (Please print) / MS MOVIAM (C) #1	
Address Jas Mine Wright	
Signature Laurdes Pozos	Date <u>68-15-17</u>
Name (Please print) Louydes Pozos	· · · · · · · · · · · · · · · · · · ·
Address 1032 Moorland Rd #206	
Signatura	_ Date <u>%/15/12</u>
Signature	
Name (Please print) on a love 3	namental and the second
Address 1024 Magy and dx #5	- 1

Me IR COLI	
Signature Mantha L. Euckson	Date 8-15-1-2
Name (Please print) MARTHA L. ERICKS	ON
Address ///6 MOORI AND RD Apt 10	<u>/</u>
Name (Please print) Paul, Torgenson Address 1126 Moorland rd. apt 104	Date 8/15/12
Address 1126 Moorland rd. apt 104	
Signature Maria Dean Name (Please print) <u>Voshi Dean</u> Address 1124 U007 and Rd. # 202	Date 8/15/12
Signature Some Office Name (Please print) Seening (ege Office)	Date 8-15-12
Address 1128 Moodand Dd #105	
Signature NORBERTO SNICHEZ Name (Please print) NORBERTO SANCHEZ	Date <u>08 15-72</u>
Address 1032 Moorlayn RD # 108	
Signature Day Jurel Name (Please print) DAN TUREK	Date <u>\$\ 15\ 12</u>
Address 110, Mountand Road #119	

Signature Weller (SA) 4/01 4/2 (SA)	Date (18-16-12
Name (Please print) Molissa Harrison	
Name (riease print) 11/2/1/55 at 17(2) 1/50	
Address 1102 Moorland Rd Apt 1	
	Date <u>C8.16.1</u> 2
Name (Please print) Maria Trojilo	
Address 1102 moorland Rd Apt. 102	\ .
Signature Daviel Aleman	Date <u>08 · 16 · 12</u>
Name (Please print) Daniel Aleman	
Address 1102 moorland Rd Apt 103	
Signature Elizabeth Lagraces	Date <u>08-16-16</u>
Name (Please print) Sheabeth Lagure, 5	
Address 1102 moorland ld 901	
Signature Cabrina Straine	Date <u>\$-16-1</u> 2
Name (Please print) Talma Sua	
Address 1102 # 202 moorland Rd	•
Address 1100 tt 5000 10 1001 100110 110	
-landa provincio	2 /6 (7
Signature <u>Claudia BAINIONUEUO</u>	Date <u>0 - 10 - 1</u> 2
Name (Please print) Claudia BAVVi Ohu	ON
Address 1104 MOONLAND ROL # 108.	

Name (Please print) Raylo Munguia	Date 09-07-20/2
Name (Please print) Raulo Munguia	
Address 1120 Moorland Road #	5 Modison, W8 53713
Signature <u>lebora</u>	Date 09/10/2012
Name (Please print) 10elsora 8mith	
Name (Please print) Debora Smith Address 1122 Moorland Road #2	07 Madison, WI 5371.
Signature Costaco toco Name (Please print) Costaco Cocos	
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Address	
Signature	Date
Name (Please print)	
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