

Firchow, Kevin

From: Murphy, Brad
Sent: Wednesday, July 06, 2011 4:37 PM
To: Firchow, Kevin
Subject: FW: St Francis House Development

Follow Up Flag: Follow up
Flag Status: Flagged

Brad Murphy
Planning Division Director
Dept. of Planning & Community & Economic Development P.O. Box 2985
215 Martin Luther King Jr. Blvd
Madison, WI 53701
608 266 4635

-----Original Message-----

From: Caleb Scarlett [mailto:tarheelcaleb@gmail.com]
Sent: Tuesday, July 05, 2011 9:46 PM
To: Murphy, Brad
Subject: St Francis House Development

Dear Plan Commision,

I am a youth at Luther Memorial Church, and I would like to express my opposal to the student housing planned for next door to our church.

I know that the City of Madison could use money, and this building could certainly provide it through taxes. But what would we be losing? Nearly century old stained glass. This glass is beautiful, and is part of history. We should not ruin it by blocking the sun's rays.

Each block or patch of private land in downtown Madison has its own taste, personality, if you will. If we replace all the blocks downtown with student housing, then Madison might have less of a flavor, and more of a drudgery ho-hum sort of look to it. By replacing St. Francis House with a flavorless, bland student apartment building, not only will our belfry fill with beer bottles and our parking lot fill with tossed pumpkins, but yet another small block in downtown will look less aesthetically pleasing. If that happens to most or all of downtown Madison, our beautiful city will be reduced to boring high rises with absolutely no personality.

Within days the Madison Plan Commission may decide the fate of two Madison Landmarks on University Avenue. We implore the committee to value the cultural and historical character of these landmarks over yet another massive brick housing complex.

Luther Memorial cathedral and its historic neighbor, St. Francis House, lie softly within the last remaining tree-lined green “oasis” along University Avenue on campus. At issue is a massive 12-story complex to be built where St. Francis House now sits. With construction of this housing complex, this “oasis” will be gone.

Some argue our opposition to the St. Francis development is hypocritical because we supported the 14-story structure built behind our church and we profited from the sale of our parking lot. We admit this was a colossal mistake. If we knew then what we know now, “Grand Central” would look significantly different.

We learned a massive housing complex means congestion—cars, scooters, bikes and pedestrians, – noise, vandalism and a building that blocks the sun from our church, creating ice dams that damage the church roof and the loss of a pre-school playground in the winter.

We’re opposed to yet another colossal housing complex – we know what its impact will be.

Regardless of official designations, our Lutheran cathedral and St. Francis House are landmarks, as is the oasis on which they sit. We’re imploring the Plan commission to protect the green oasis and these landmarks, Madison treasures.

Al Larson
Congregation Council President
5310 Dorsett Dr
Madison, WI 53711

June 28, 2011

Re: LZ Ventures Student Housing Proposal at 1001 University Ave, Madison, WI

Dear City Urban Design Commission,

My name is Jay Suthers and I reside at 74 Lakewood Gardens Lane, Madison, WI 53704.

I'll begin by stating that I believe the proposed student housing building will adversely affect Saint Francis House Episcopal Student Center, Luther Memorial Church, Porchlight and the spiritual development of the University students.

I recently became a member at Luther Memorial Church, though I first attended Luther Memorial as a University of Wisconsin undergraduate from 1988 to 1991.

During those years, I lived in an efficiency apartment on the far end of Langdon Street. As you may know, this area is home to several Fraternity and Sorority houses. Though the rent was affordable and the location convenient, this proved to be a terrible place to live. The constant noise of mopeds, loud stereos, and raucous shouting were disruptive to both study and sleep. Once I graduated, I made the quickest arrangements possible to move from that area.

I have a friend who lives at Porchlight. I've asked her to write a letter about her experience of having to deal with the noise coming from the Grand Central student housing tower, but she's a proud person, regrets having to live at Porchlight, and wishes to remain anonymous. Still, she's allowed me to say that her experience has been unpleasant. During the school year, she is subjected to the same buzz of mopeds, loud stereo music, and raucous shouting that I experienced on Langdon Street. My friend is simply exhausted from the lack of sleep and peace in her unfortunate living situation.

While the management for Grand Central takes measures to ensure students do not throw things off their balconies or cause damage to the building, there's nothing they can do to dissuade students from throwing noise off the balcony. This is what students do. They enjoy social gatherings, watching sports on TV, playing video games, and so on. Sometimes they go too far and cause trouble, but the consequence of crossing the boundary is always after the fact. They may be fined for bad behavior, but the throwing and the loud noise has already happened.

Now, I don't know the thickness of glass, specifically the windows and stained glass of a building or church. But, I do know it's not very thick and it only serves two purposes; to let light in and to keep the elements out. It does little of nothing to block out sound.

I returned to Luther Memorial just before the Lenten season – a solemn time of deep thought and quiet contemplation. We strip the altar, keep the lights down, and the music low. It's a time to reflect on our own existence as "beings in the flesh". At this time we notice the background noises in the church – the humming of the ventilation system, the din of traffic on University Avenue, perhaps a passing jet. I've heard from some of my fellow parishioners that during funerals and such, they oftentimes hear the stereos and chatter from Grand Central, which is located *behind* Luther Memorial.

So, I begin to wonder and become concerned that the new student housing tower will be just alongside the Saint Francis House and only a few yards from the long wall of stained glass windows on the eastern side of Luther Memorial church. The noises from the students and machinery of this new building will easily penetrate the glass of these buildings, disrupting the quietude of these sacred spiritual spaces.

There is a reason they don't build student housing next to lecture halls on the campus, across from hospitals, or next to other care facilities. Even sporadic loud noise would be disruptive to the learning process, the healing process, the recovery process in the case of Porchlight, and, in the case of Saint Francis House and Luther Memorial, the spiritual process.

There are more favorable locations for student housing. Surely the space at Saint Francis House could be better utilized to provide for the spiritual growth of college students. They don't need another place to just live, they need a place to grow and tend to their spiritual needs. They need a place that enriches them, enlightens them, and makes them whole.

This student housing tower will stand as a monument to capitalism – an opportunity for LZ Ventures to cash in on the financial need of Saint Francis House. This building will encroach on a space that has been dedicated to the spiritual needs of students for nearly 100 years. The appearance of Saint Francis House compressed down to a plot of land just the size of the building and Luther Memorial encapsulated down to its narrowest boundaries creates a message that spirituality no longer matters on the University Campus – that the exploration of God is to be minimized.

Pastor Wilson in a recent sermon asked, "Are we being selfish to speak out against this building for our own sake?" We are not. From the day Luther Memorial was founded, the mission has been to bring the church to the students of the University. Both Saint Francis House and Luther Memorial have been a larger-than-life presence on the campus. The student housing building will diminish that presence and may one day, God forbid, extinguish it.

Maintaining this block as a spiritual and religious "zone" is vital. It is as meaningful a part of the students' lives as any other institution on campus. Saint Francis House and Luther Memorial help create the whole of the campus experience. Carving into this space will create a cavern in that experience.

The quietude, sacredness, visual presence, and the importance of spiritual growth will all be impacted severely by LZ Ventures' student housing building. I'm pleading with you not to exchange the significant spiritual value of this single block of space for a few dollars of tax revenue. Please do not allow this building to be built.

Thank you for reading.

Sincerely Yours,

Jay Suthers

Firchow, Kevin

From: Murphy, Brad
Sent: Monday, July 04, 2011 1:41 PM
To: Firchow, Kevin
Subject: FW: St. Francis House
Attachments: Card for "William Nienhauser" <whnienha@wisc.edu>.vcf

Follow Up Flag: Follow up
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From: William Nienhauser [whnienha@wisc.edu]
Sent: Tuesday, June 28, 2011 2:15 PM
To: Murphy, Brad
Subject: St. Francis House

Dear Brian,

I would like to express my displeasure (horror is more descriptive) concerning the proposed development on the site of the St. Francis House located on University Avenue.

Over the years this area/neighborhood has sadly developed into a corridor of highrise cement. The complete lack of respect for any historical and cultural responsibility or significance is a very sad comment on Madison's dwindling architectural legacy.

Please reconsider the St. Francis site proposal.

With best regards,

Judith Brockway Nienhauser
602 Edgewood Avenue
Madison 53711

Firchow, Kevin

From: Murphy, Brad
Sent: Tuesday, June 21, 2011 5:20 PM
To: Firchow, Kevin
Subject: FW: Proposed Building near Luther Memorial

Follow Up Flag: Follow up
Flag Status: Flagged

Brad Murphy
Planning Division Director
Dept. of Planning & Community & Economic Development P.O. Box 2985
215 Martin Luther King Jr. Blvd
Madison, WI 53701
608 266 4635

-----Original Message-----

From: n.simpsonyounger@gmail.com [mailto:n.simpsonyounger@gmail.com] On Behalf Of Nancy Simpson
Sent: Tuesday, June 21, 2011 5:02 PM
To: Resnick, Scott; Murphy, Brad
Subject: Proposed Building near Luther Memorial

Dear Mr. Resnick and Mr. Murphy,

I recently learned that a 12-story building has been proposed to go up near Luther Memorial Church, and I would like to oppose the project. As a student worshipper at Luther, I value the ability to see the church's steeple and banners from the bus and sidewalks around that part of campus, and a 12-story building would block those views. Additionally, while the present building on the site is small, attractive, and unique, a 12-story high rise would only contribute to the increasingly industrial look of the vicinity, stripping it bit by bit of its local charm. Finally, the building would create extra traffic in an area very near the Luther preschool, which would make the area less safe for children. I would urge you to consult fully with the congregation at Luther Memorial before proceeding with this project, to hear the viewpoints of as many student and non-student worshippers as possible.

Best wishes,
Nancy Simpson
Graduate Student,
English Department

Firchow, Kevin

From: Murphy, Brad
Sent: Tuesday, June 21, 2011 1:54 PM
To: Firchow, Kevin
Subject: FW: Opposition to St. Francis House Development proposal before Plan Commission on June 20th
Attachments: LMC Plan Commission letter.doc
Follow Up Flag: Follow up
Flag Status: Flagged

Brad Murphy
Planning Division Director
Dept. of Planning & Community & Economic Development
P.O. Box 2985
215 Martin Luther King Jr. Blvd
Madison, WI 53701
608 266 4635

From: fwilson.lmc@gmail.com [mailto:fwilson.lmc@gmail.com] **On Behalf Of** Franklin Wilson
Sent: Tuesday, June 21, 2011 10:30 AM
To: Resnick, Scott; Rummel, Marsha; Murphy, Brad
Subject: Fwd: Opposition to St. Francis House Development proposal before Plan Commission on June 20th

Scott and Marsha:

Thanks again for your attention to the St. Francis proposed development and Luther Memorial Church's opposition. I thought the accompanying letter (from Sandra Erickson) put the case especially well from the church's financial point of view: the long-term cost of winter shadow on the building's roofs and the potential financial burden placed on the congregation as a result. Vis-a-vis last night's motion, I should think of shadow not only in relation to interior aesthetics, but also in relation to potential external damage and consequent financial costs. Again, thank you for your time and consideration.

The Rev. Franklin Wilson,
Senior Pastor
Luther Memorial Church

----- Forwarded message -----

From: Sandy Erickson <sandysplace@surfbest.net>
Date: Sun, Jun 19, 2011 at 5:14 PM
Subject: Re: Opposition to St. Francis House Development proposal before Plan Commission on June 20th
To: district2@cityofmadison.com, district3@cityofmadison.com, district4@cityofmadison.com, district6@cityofmadison.com, district7@cityofmadison.com, district9@cityofmadison.com, district10@cityofmadison.com, district11@cityofmadison.com, district12@cityofmadison.com, district13@cityofmadison.com, district14@cityofmadison.com, district15@cityofmadison.com, district16@cityofmadison.com, district17@cityofmadison.com, district18@cityofmadison.com, district19@cityofmadison.com, district20@cityofmadison.com, mayor@cityofmadison.com, erics@cows.org, jolson@operationfreshstart.org, michael.heifetz@deancare.com, mabasford@charter.net, avandrzejews@wisc.edu
Cc: district1@cityofmadison.com, district5@cityofmadison.com, district8@cityofmadison.com, bmurphy@cityofmadison.com, rcnare@cityofmadison.com

Dear Mayor and Madison Common Council Members,

On Friday afternoon, June 17, I e-mailed the attached letter to the Madison Plan Commission, c/o Brad Murphy, to register my opposition to the proposed high-rise development on the St. Francis House property on the corner of Brooks St. and University Avenue. I also spoke with my alder, Lisa Subeck, re: my deep concern about this project that will be reviewed by the Plan Commission tomorrow evening, June 20th.

I am a long-time member of Luther Memorial Church and currently serve as the Chair of the Administration and Finance Committee and Treasurer of the church's foundation. I hope that my letter will be included in materials distributed at the Plan Commission meeting tomorrow night but just in case it isn't I am sending this to you directly, in advance of that meeting, so that you will be aware of our concern about the significant and troubling financial impact this project could pose if it is allowed to continue as planned.

Thank you in advance for hearing and addressing our concerns. I can be contacted at sandysplace@surfbest.net if you have questions.

Sandy Erickson
District 1

To the members of Madison's Plan Commission:

My name is Douglas Swiggum. I write to you in opposition of the proposed development of 1001 University Avenue for a 12-story student high-rise apartment building.

I am a member of Luther Memorial Church, the neighbor next door. I have raised my family in this parish, and was first exposed to the congregation and the building when I was a student at the UW 30 years ago. I now serve as the chair of the Facilities Committee of LMC, and am intimately aware of the condition of our building and the maintenance that it requires.

Beyond concerns for stone, mortar, roofs, gutters and recent vandalism of these things, I write to you out of concern for the survival of our congregation--a group of people that voluntarily support the maintenance of our building, out of their own pockets; but more importantly are committed to the mission of this church and what it offers to our community.

If they find it unsafe to participate at LMC, or find that the building becomes too much of a burden to the ministries that they care about, they will fall away. These are my concerns: SAFETY, ADDED BURDEN of maintenance, and the VIABILITY of a MADISON COMMUNITY.

As a Facilities Committee member, one of my volunteer duties is to make regular inspections of the building. One of the important tasks is to keep track of our roofs, gutters and drainage systems. If these fail, water damage is an expensive thing in an old building, so it is something that needs to be watched closely. As a result, I do a lot of climbing up to our flat roofs, or access points where I can view conditions.

One day, about a month after Grand Central had opened, I climbed out onto the roof of our church tower to discover that it had been pelted with eggs. My initial reaction was visceral: "Who would do such a thing?" "Who would assault a Church?" "What were they THINKING?" Later, I realized that they weren't thinking, they were drinking. I still cannot believe that they intended harm, but rather that they were acting stupid, under the influence of alcohol.

The splatter of the eggs clearly indicated the trajectory of their flight. Since this was about 100 feet above the alley behind the church, the eggs could only have come from 2 or 3 balconies on the North side of Grand Central.

We initiated conversations with Grand Central management to deal with the problem. Nothing was done.

Subsequent climbs of the tower for inspections revealed beer cans, beer cans, beer cans. Initially, they were relatively unaltered, landing on the nearest flat roof section. Later trips up the tower found them partially crushed, creating greater density, allowing them to be thrown to further sections of our roofs. Many of these cans were clogging the downspouts of the flat roofs. Without drainage, these structures become wading pools in a heavy rain. When the water overtops the flashing on these roofs, it finds its way into our building or will saturate the wall and destroy the mortar joints between the stones. We

tasked our roofing contractor to clear the debris before such damage occurred--at our expense.

We reported these problems to Grand Central Management, and they said they were having problems with their cameras. Still no action.

Down at ground level, I remember one Sunday morning when I arrived to find that the alley was completely littered with beer cans, broken beer bottles, a broken lamp, smashed furniture, what appeared to be about a gallon of vomit and other trash. My wife had duties in the church at 8:00AM.

I did not need to be at choir until 10:00AM. Sunday school families had not yet arrived. So, I spent about an hour sweeping Conklin Place free of beer cans and trash and loading 2 JUMBO trash bags full of the debris, with a SNOW SHOVEL. The beer cans being swept by my push broom made a lot of noise. One of the residents called down from probably the 8th floor: "SHUT THE F*** UP!" I have to admit, at the time, I didn't care a bit that I had disturbed his sleep.

We reported this problem, and later noticed some custodial staff policing the grounds on Sunday mornings. This was progress.

Subsequent climbs of the tower revealed rotted vegetables, apples, lemons, limes, sports-drink bottles, squash, more beer cans, a tequila bottle, vodka bottles, whiskey bottles. Things were escalating.

Two of these liquor bottles caused significant damage to our roofs, one to a section of French terra-cotta tile roof over the West transept; and the other to a flat roof membrane above a balcony stairwell. Both caused water damage inside our sanctuary, swelling and crumbling 90-year old plaster detailing done by craftsmen not easily found today. We incorporated this repair with a larger maintenance project in our sanctuary, and Grand Central Management picked up the bill for this one item.

What is never counted is all the volunteer time, and church staff time that it takes to manage all these incidents. It takes an entire Saturday afternoon, for example, for two volunteers to climb a 130' tower with two buckets, a rope, a broom, a scrub brush, a garbage bag, a gallon of water, and assorted hand tools; clean up a mess; and descend with all of the same; several hours on either end for staff and volunteers to process the incident; and several hours setting up and meeting with Grand Central Management. It has taken me another couple hours to tell you about it just now.

MUCH more importantly, we were worried about safety. Liquor bottles or even beer bottles dropped from 12 stories can kill a person.

Our members use the alley. Residents of Grand Central use the alley.

Citizens of Madison use the alley. One day, a liquor bottle is going to kill a pedestrian. We brought this concern to Grand Central Management. Our question was: We want to know what rules and policies you have in your leases concerning throwing things from balconies; and we want to know what the consequences are for violations.

Our position was "First offense and you face eviction", or at least "second offense...". We discovered in this conversation that the balconies are not actually part of the resident's lease; that access to them is solely at the permission of the owner. No access to the balcony still requires full rent.

Simple, we said: "First offense of throwing something off a balcony results in loss of balcony privileges for the rest of your lease." Management should dead-bolt the balcony door with a management-only key. That might be a consequence they would care about.

They seemed to deflect this with replies like "Well if we have restrictive policies about our balconies, how will we compete with 'Lucky' or 'La Ciel' who don't?" We raised the question "How will your insurance company deal with the liability question if you don't enforce stricter policies when you already know about the problem?" After this meeting, it seemed that there was some improvement in the situation.

One of the documents provided for the 6/20 Plan Commission meeting was an e-mail from Tony Fiore, MPD to Jim Stopple of Madison Property Management, that is, Grand Central Management. It discussed progress in "chronic nuisance behavior we brought to your attention in April 2009". This is before Grand Central opened. So these problems have been going on downtown prior to Grand Central. I have attached this e-mail.

There was testimony from Jim Stopple, Madison Property Management's man at the 6/20 Plan Commission meeting regarding vandalism and nuisance behavior. I have attached that as well.

This prompted one of our church members to visit the police station and get a report of the nuisance calls for service. Also attached. It shows 150 police calls at 1022 West Johnson Street since Grand Central opened.

With this new information, it appears that it wasn't *our* insistence that they do something about policies and consequences that made the difference between 2009 and 2010. Rather, it was the MPD putting pressure on them to reduce "nuisance CFS".

Also, I note that in Stopple's testimony, he frames the balcony issue totally in the context of cigarette butts, which could harm or injure no one. When we were meeting with him, our concern was *first* for items that could be thrown or dropped from high balconies that could *kill* someone--like liquor bottles, beer bottles or frozen pumpkins. Secondarily, we were concerned with the vandalism.

We have seen improvement in the situation with our neighbors at Grand Central and the management, MPM, who has been responsive, but always seeming to be catching up to the reality. Every fall, we will have to deal with a new batch of students that have yet to learn the rules.

Our church faces Grand Central with two-foot-thick masonry walls. We can deal with vandalism as a nuisance. Our church faces the proposed St. Francis site with beautiful stained glass windows. Beneath one of those windows is a 19th Century organ, relocated from Chicago, and restored to new condition. It is used every week in worship services. In and of itself, it could be considered a landmark. One vodka bottle tossed from the new development could easily cause \$200,000.00 of damage, and engender a feeling of violation, desecration of sacred space; well beyond mere vandalism.

I write this letter to you, the Plan Commission, with a heavy charge. Really, it is up to you to decide what we want to do with downtown Madison. Do we want these high-rent high-rise student apartment buildings? Do they contribute to the quality of life in Madison? You already have several incidents of public concern with these student occupied buildings with balconies. There has been a suicide attempt. There have been fights spilling over railings. There have been hundreds, perhaps thousands of nuisance calls for service with the Madison Police Department.

These buildings are marketed to young people who are probably living without supervision for the first time in their lives; who have parents co-signing their leases; who have no jobs and responsibilities of their own; who have kitchens that resemble wet bars; who have ready access to alcohol; who have ready access to balconies; who are ready to party rather than study.

Of course, I overstate this. But is this the downtown and campus environment that you wish to plan?

A responsible plan would eliminate balconies from these types of apartment buildings.

Or, at a minimum, **all** downtown balconies (leased or owned) should have certain rules in Madison ordinance about their use, and certain consequence of violation (for throwing things). And special requirements for monitoring for buildings marketed to students.

Lucky, La Ciel, Grand Central, or St. Francis should not have to compete based on party-friendly standards. They should all have to comply to the same standard, one that you set.

When I lived in a UW dorm, 30 years ago, we had a set of rules that carried serious consequences. It was called "The Big Five". Five rules which if violated would get you evicted. Some of the rules carried **expulsion** from the UW as a consequence.

All of them had to do with safety. When researching this for our conversations with Grand Central Management, I discovered that the list has now become "The Big Eighteen". Then and now, the rule at the top of the list was never throwing something out of a window. I was on the third floor of Witte Hall in the South East dorms.

It didn't matter if it was a water balloon or a paper airplane, it would lead to eviction. Period. It seems overstated, but nobody challenged it.

Today, the UW Housing policy is here:

http://www.housing.wisc.edu/expectations/pdf/2011-12_expectations.pdf

It might serve as a guide for planning these housing arrangements (for students) in the downtown area.

Sincerely,
Douglas Swiggum
Chair, Luther Memorial Church Facilities Committee

Meyer, Cathy M (27503)

From: White, William F (22246)
Sent: Friday, June 17, 2011 9:11 AM
To: Meyer, Cathy M (27503)
Subject: Calls For Service Analysis for Grand Central and Equinox Apts

From: Fiore, Anthony [<mailto:AFiore@cityofmadison.com>]

Sent: Tuesday, October 19, 2010 3:53 PM

To: Jim Stoppie

Cc: Gloede, Carl; Mccaw, David; Roman, Kristen; Schauf, Mary; Strassman, Tim; Austin, Derek; Chaney, Brian; Dyhr, Angie; Hill, Christina; Lored, Javier; Trevarthen, Linda

Subject: Calls For Service Analysis for Grand Central and Equinox Apts

Jim –

I wanted to let you know that we have completed our analysis of the Calls for Service (CFS) for Grand Central and Equinox Apartments. We looked at data from both 2009 & 2010 for the periods of Aug 15 – Oct 1. I am pleased advise that we have seen a significant reduction in CFS at both address. Below are the raw numbers examined:

	2009	2010	% Change
Grand Central	14	4	-71%
Equinox	30	13	-57%

Although these numbers look at a fairly narrow time frame I feel they can be used to attribute significant improvement compared to one year ago. I would like to congratulate you, your staff and the owner(s) commitment to addressing our concerns related to the nuisance activity at both properties. I think this effort shows how management companies such as yours can make dramatic and immediate improvements in the living conditions within your properties. I will be examining similar data for your properties at the end of the Fall Semester and will share the results of that in early January 2011.

I would appreciate an opportunity meet with you and your team to discuss the steps you took proactively address the chronic nuisance behavior we brought to your attention in April 2009. I think this could be a great opportunity to capture some 'best practices' that we could offer to other apartment building that may be experiencing similar nuisance CFS.

Sincerely,

Sgt Tony Fiore
Madison Police Department
Central Community Policing Team
211 S Carroll St
Madison, WI 53703
608.576.2300 (Cell)
608.266.4248 (Office)

StopplesTestimony.txt

"Are there specific questions you have? I am Jim Stopples with Madison Property Management."

Olson: "I'd like to ask you to respond to some of the descriptions we have heard here tonight about the behavior of residents of Grand Central, especially vandalism of the church and other nuisance behaviors, and what, if anything, you have done to address them."

Stopples: "We have worked with the Madison Police Department closely. And there was a period of time after the construction of Grand Central where we had no issues whatsoever that we were aware of, and then we spoke with Sgt. Tony Fiore of the Madison Police Department, and he indicated that he thought there were some calls that were coming in that shouldn't be.

And we said 'Please let us know.' and 'Shame on us that we hadn't been getting weekly police reports.' With the blessing of ownership, we employed security service every Thursday, Friday, Saturday evenings, Halloween, other specific evenings associated with what we would anticipate young people to be enjoying life. And have worked very closely with them so that they call security vs. the Madison Police Department in most cases from within Grand Central.

There are balconies on Grand Central, and there were issues, and times in which students thought that there was a place to be able to disseminate their cigarette butts. We issued... The owners of Grand Central authorized an additional camera which had been put in a small blind spot, it was a wireless camera, at no small expense, and I think now we have a vision of every side of the building, as well as a vision inside the entire building of every hallway. The impact of students saying 'No, I didn't throw anything off.' recognizing it's a \$500 fine, and when you bring the cameras back up and you can see a cigarette butt, as small as that, going off their balcony at a fine of \$500, going to their parents, has been excruciatingly painful for those young students.

So, I think we have done anything and everything we can. We have custodial people there in the morning on Sundays and on Saturdays to make sure that if there is anything outside whether it is the responsibility or has been caused by residents of Grand Central, residents of any place else, or people walking by, because there is a lot of traffic in that location. And they are correct. But in most cases, that traffic is going from one class to another. If you go through that intersection, and it is not a result of Grand Central, but it's a result of 29,000 undergraduates plus graduate students at the University of Wisconsin that are heavily entrenched in that local area.

So, we have done everything we can to try to make sure that we have taken every step possible toward preventive cures as opposed to reactionary to fires."

06/30/11 13:49:15

Incident #	Call Date	Call Time	Call Type	Description of Call	Street Number	Dir	Street Name	Suffix	Apt
201100159662	06/12/2011	16:39	PHON	PHONE CALL	1022	W	JOHNSON	ST	611
201100149834	06/04/2011	01:15	31	EMS Assist		W	JOHNSON	ST	
201100901193	06/01/2011	00:01	21	Fraud		W	JOHNSON	ST	412
201100143045	05/28/2011	23:57	41	Domestic/Family Trou		W	JOHNSON	ST	310
201100140013	05/26/2011	02:23	31	EMS Assist		W	JOHNSON	ST	909
201100138958	05/24/2011	22:10	41	Domestic/Family Trou		W	JOHNSON	ST	
201100133996	05/20/2011	08:54	98M	MISDIALED 911 CALL		W	JOHNSON	ST	313
201100125398	05/11/2011	21:14	98M	MISDIALED 911 CALL		W	JOHNSON	ST	
201100120358	05/07/2011	00:33	35	Threats Complaint		W	JOHNSON	ST	
201100117147	05/04/2011	00:04	88F	ASSIST/FOLLOW UP		W	JOHNSON	ST	
201100114434	05/01/2011	03:52	65	Check Person		W	JOHNSON	ST	206
201100114072	04/30/2011	21:39	49	Noise Complaint		W	JOHNSON	ST	805
201100099314	04/16/2011	01:44	31	EMS Assist		W	JOHNSON	ST	
201100079404	03/27/2011	00:41	67	Found Property		W	JOHNSON	ST	
201100067098	03/14/2011	02:26	31	RMS Assist		W	JOHNSON	ST	
201100067093	03/14/2011	02:11	31	MISDIALED 911 CALL		W	JOHNSON	ST	
201100043459	02/16/2011	13:51	98M	MISDIALED 911 CALL		W	JOHNSON	ST	
201100037483	02/10/2011	14:07	98M	MISDIALED 911 CALL		W	JOHNSON	ST	1410
201100021861	01/25/2011	20:30	88F	ASSIST/FOLLOW UP		W	JOHNSON	ST	504
201100020470	01/24/2011	11:04	97	Information		W	JOHNSON	ST	
201100018884	01/22/2011	13:15	PHON	PHONE CALL		W	JOHNSON	ST	504
201100018496	01/22/2011	01:07	12	Theft		W	JOHNSON	ST	504
201100013436	01/16/2011	16:20	98Q	QUESTION 911 CALL		W	JOHNSON	ST	
201100001130	01/01/2011	01:49	31	EMS Assist		W	JOHNSON	ST	210
201000372118	12/31/2010	02:36	38	Disturbance Call		W	JOHNSON	ST	
201000364588	12/22/2010	02:41	66	Check Property		W	JOHNSON	ST	NEXT
201000364183	12/21/2010	16:27	84	Preserve the Peace		W	JOHNSON	ST	909
201000332008	11/18/2010	00:15	38	Disturbance Call		W	JOHNSON	ST	909
201000321398	11/07/2010	03:02	87	Assist Citizen		W	JOHNSON	ST	211
201000317040	11/02/2010	19:23	87	Assist Citizen		W	JOHNSON	ST	306
201000316826	11/02/2010	16:03	88	Assist Fire/Police		W	JOHNSON	ST	1202
201000901759	10/28/2010	00:01	12	Theft		W	JOHNSON	ST	
201000306911	10/24/2010	01:40	71	Trespassing Complain		W	JOHNSON	ST	
201000299638	10/16/2010	22:48	49	Noise Complaint		W	JOHNSON	ST	
201000299621	10/16/2010	22:34	49	Noise Complaint		W	JOHNSON	ST	
201000284510	10/03/2010	00:43	49	Noise Complaint		W	JOHNSON	ST	1309
201000282321	10/01/2010	00:28	98M	MISDIALED 911 CALL		W	JOHNSON	ST	
201000275458	09/24/2010	15:30	49	Noise Complaint		W	JOHNSON	ST	1309
201000260885	09/10/2010	22:58	88	Assist Fire/Police		W	JOHNSON	ST	
201000254788	09/05/2010	00:26	88	Assist Fire/Police		W	JOHNSON	ST	
201000901301	09/04/2010	00:01	16	Stolen Bike		W	JOHNSON	ST	
201000901169	08/28/2010	12:30	68	Lost Property		W	JOHNSON	ST	
201000210487	08/14/2010	07:30	98U	UNINTENTIONAL 911 CA		W	JOHNSON	ST	
201000226886	08/11/2010	01:56	97	Information		W	JOHNSON	ST	
201000223808	08/08/2010	03:19	69	Damaged Property Com		W	JOHNSON	ST	210
201000222254	08/06/2010	22:07	65	Check Person		W	JOHNSON	ST	
201000219439	08/04/2010	07:45	14	Stolen Auto		W	JOHNSON	ST	204
201000218587	08/03/2010	11:17	15	Stolen Other Vehicle		W	JOHNSON	ST	
201000196596	07/13/2010	23:22	49	Noise Complaint		W	JOHNSON	ST	209
201000191191	07/09/2010	01:47	98U	UNINTENTIONAL 911 CA		W	JOHNSON	ST	306
201000189510	07/07/2010	15:33	68	Lost Property		W	JOHNSON	ST	1002
201000181112	06/29/2010	22:05	49	Noise Complaint		W	JOHNSON	ST	414
201000181041	06/29/2010	20:46	49	Noise Complaint		W	JOHNSON	ST	
201000173226	06/23/2010	01:08	98Q	QUESTION 911 CALL		W	JOHNSON	ST	
201000161057	06/11/2010	23:33	65	Check Person		W	JOHNSON	ST	
201000158675	06/09/2010	23:58	98A	ABANDONED 911 CALL		W	JOHNSON	ST	1301
201000148087	05/31/2010	03:47	65	Check Person		W	JOHNSON	ST	
201000146928	05/30/2010	00:16	49	Noise Complaint		W	JOHNSON	ST	
201000144517	05/27/2010	23:45	49	Noise Complaint		W	JOHNSON	ST	
201000144486	05/27/2010	23:04	49	Noise Complaint		W	JOHNSON	ST	

Incident #	Call Date	Call Time	Call Type	Description of Call	Street Number	Dir	Street Name	Suffix	Apt
201000140871	05/24/2010	20:57	65	Check Person	1022	W	JOHNSON	ST	1305
201000136648	05/21/2010	02:53	47	Unwanted Person		W	JOHNSON	ST	1402
201000136628	05/21/2010	02:13	49	Noise Complaint		W	JOHNSON	ST	
201000130131	05/15/2010	05:08	38	Disturbance Call		W	JOHNSON	ST	
201000121966	05/07/2010	01:25	28	Liquor Law Investiga		W	JOHNSON	ST	
201000121166	05/06/2010	10:32	86	[REDACTED]		W	JOHNSON	ST	
201000116454	05/01/2010	22:12	66	Check Property		W	JOHNSON	ST	UNK A
201000116398	05/01/2010	21:29	66	Check Property		W	JOHNSON	ST	
201000115722	05/01/2010	11:51	66	Check Property		W	JOHNSON	ST	
201000114258	04/30/2010	06:39	88	Assist Fire/Police		W	JOHNSON	ST	
201000111844	04/27/2010	21:35	98M	MISDIALED 911 CALL		W	JOHNSON	ST	
201000105197	04/21/2010	02:44	88	Assist Fire/Police		W	JOHNSON	ST	901
201000105178	04/21/2010	02:12	88	Assist Fire/Police		W	JOHNSON	ST	214
201000103156	04/19/2010	00:08	47	Unwanted Person		W	JOHNSON	ST	1402
201000103079	04/18/2010	22:13	47	Unwanted Person		W	JOHNSON	ST	1402
201000102134	04/17/2010	23:57	49	Noise Complaint		W	JOHNSON	ST	1207
201000102075	04/17/2010	23:11	66	Check Property		W	JOHNSON	ST	
201000101800	04/17/2010	18:47	12	Theft		W	JOHNSON	ST	
201000101045	04/17/2010	01:26	65	Check Person		W	JOHNSON	ST	1102
201000100985	04/17/2010	00:28	49	Noise Complaint		W	JOHNSON	ST	807
201000100984	04/17/2010	00:27	95	Adult Arrest		W	JOHNSON	ST	807
201000100949	04/16/2010	23:54	28	Liquor Law Investiga		W	JOHNSON	ST	911
201000100898	04/16/2010	23:05	88	[REDACTED]		W	JOHNSON	ST	
201000100545	04/16/2010	17:09	88F	ASSIST/FOLLOW UP		W	JOHNSON	ST	
201000100446	04/16/2010	15:38	88F	ASSIST/FOLLOW UP		W	JOHNSON	ST	
201000099130	04/15/2010	13:08	44	Suspicious Person		W	JOHNSON	ST	
201000098230	04/14/2010	16:26	71	Trespassing Complain		W	JOHNSON	ST	
201000094417	04/10/2010	20:39	44	Suspicious Person		W	JOHNSON	ST	
201000080044	03/26/2010	20:25	89	Serving Legal Papers		W	JOHNSON	ST	401
201000074004	03/20/2010	15:16	69	Damaged Property Com		W	JOHNSON	ST	
201000073561	03/20/2010	01:46	88	Assist Fire/Police		W	JOHNSON	ST	
201000071200	03/18/2010	00:14	49	Noise Complaint		W	JOHNSON	ST	211
201000067880	03/14/2010	20:15	89	Serving Legal Papers		W	JOHNSON	ST	911
201000067176	03/14/2010	00:28	49	Noise Complaint		W	JOHNSON	ST	1406
201000058488	03/04/2010	23:35	49	Noise Complaint		W	JOHNSON	ST	807
201000052965	02/27/2010	02:00	49	Noise Complaint		W	JOHNSON	ST	1404
201000048765	02/22/2010	18:34	58	Private Property Par		W	JOHNSON	ST	412
201000047251	02/21/2010	00:14	49	Noise Complaint		W	JOHNSON	ST	
201000046112	02/19/2010	18:54	98M	MISDIALED 911 CALL		W	JOHNSON	ST	
201000040839	02/14/2010	01:07	37	Fight Call		W	JOHNSON	ST	
201000034698	02/07/2010	18:20	88	[REDACTED]		W	JOHNSON	ST	
201000032088	02/05/2010	01:11	49	Noise Complaint		W	JOHNSON	ST	504
201000032083	02/05/2010	00:52	49	Noise Complaint		W	JOHNSON	ST	201
201000032048	02/04/2010	23:50	49	Noise Complaint		W	JOHNSON	ST	602
2010000900143	01/31/2010	01:00	12	Theft		W	JOHNSON	ST	
201000026740	01/30/2010	03:17	66	Check Property		W	JOHNSON	ST	
201000021376	01/24/2010	03:30	49	Noise Complaint		W	JOHNSON	ST	
200900376604	12/21/2009	23:58	49	Noise Complaint		W	JOHNSON	ST	
200900367395	12/12/2009	01:06	49	Noise Complaint		W	JOHNSON	ST	
200900367293	12/11/2009	22:38	88	[REDACTED]		W	JOHNSON	ST	
200900363012	12/09/2009	00:27	49	Noise Complaint		W	JOHNSON	ST	
200900358994	12/04/2009	23:15	49	Noise Complaint		W	JOHNSON	ST	
200900354886	12/01/2009	10:08	21	Fraud		W	JOHNSON	ST	
200900354878	12/01/2009	09:54	21	Fraud		W	JOHNSON	ST	
200900351398	11/27/2009	08:00	66	Check Property		W	JOHNSON	ST	
200900349314	11/24/2009	15:48	69	Damaged Property Com		W	JOHNSON	ST	
200900345961	11/20/2009	22:45	98Q	QUESTION 911 CALL		W	JOHNSON	ST	
200900339008	11/14/2009	02:40	88	Assist Fire/Police		W	JOHNSON	ST	
200900338165	11/13/2009	12:52	66	Check Property		W	JOHNSON	ST	
200900332811	11/08/2009	00:34	49	Noise Complaint		W	JOHNSON	ST	

Incident #	Call Date	Call Time	Call Type	Description of Call	Street Number	Dir	Street Name	Suffix	Apt
200900326430	11/01/2009	20:11	14	Stolen Auto	1022	W	JOHNSON	ST	313
200900325473	10/31/2009	23:21	49	Noise Complaint		W	JOHNSON	ST	505
200900324614	10/31/2009	09:19	47	Unwanted Person		W	JOHNSON	ST	802
200900324455	10/31/2009	04:06	66	Check Property		W	JOHNSON	ST	
200900324278	10/31/2009	00:47	69	Damaged Property Com		W	JOHNSON	ST	810
200900317095	10/24/2009	01:10	49	Noise Complaint		W	JOHNSON	ST	1304
200900317080	10/24/2009	00:53	49	Noise Complaint		W	JOHNSON	ST	1304
200900315947	10/22/2009	23:37	49	Noise Complaint		W	JOHNSON	ST	
200900311181	10/18/2009	00:04	38	Disturbance Call		W	JOHNSON	ST	209
200900311142	10/17/2009	23:31	49	Noise Complaint		W	JOHNSON	ST	
200900309923	10/16/2009	23:30	49	Noise Complaint		W	JOHNSON	ST	
200900305986	10/12/2009	23:56	56	Intoxicated Person		W	JOHNSON	ST	
200900302924	10/09/2009	20:05	49	Noise Complaint		W	JOHNSON	ST	
200900296130	10/03/2009	01:34	49	Noise Complaint		W	JOHNSON	ST	
200900294882	10/01/2009	23:24	49	Noise Complaint		W	JOHNSON	ST	
200900289903	09/26/2009	23:24	98M	MISDIALED 911 CALL		W	JOHNSON	ST	306
200900288844	09/26/2009	00:39	49	Noise Complaint		W	JOHNSON	ST	
200900282517	09/20/2009	03:34	87	Assist Citizen		W	JOHNSON	ST	
200900282325	09/20/2009	00:03	49	Noise Complaint		W	JOHNSON	ST	
200900282246	09/19/2009	22:17	49	Noise Complaint		W	JOHNSON	ST	
200900281065	09/18/2009	22:38	49	Noise Complaint		W	JOHNSON	ST	
200900279980	09/17/2009	23:40	49	Noise Complaint		W	JOHNSON	ST	
200900277898	09/16/2009	00:08	98A	ABANDONED 911 CALL		W	JOHNSON	ST	505
200900272423	09/11/2009	01:20	49	Noise Complaint		W	JOHNSON	ST	
200900268113	09/07/2009	00:22	49	Noise Complaint		W	JOHNSON	ST	
200900268083	09/06/2009	23:54	49	Noise Complaint		W	JOHNSON	ST	
200900265782	09/05/2009	00:42	49	Noise Complaint		W	JOHNSON	ST	
200900254722	08/26/2009	14:26	66	Check Property		W	JOHNSON	ST	
200900249879	08/22/2009	02:57	45	Suspicious Vehicle		W	JOHNSON	ST	
200900247479	08/19/2009	22:35	49	Noise Complaint		W	JOHNSON	ST	
200800362791	12/12/2008	05:33	47	Unwanted Person		W	JOHNSON	ST	
200800019978	01/24/2008	13:07	50	Accident - Property		W	JOHNSON	ST	
200700104699	09/02/2007	05:45	65	Check Person		W	JOHNSON	ST	

Total Calls for Address
COUNT 153

8



Reinhart Boerner Van Deuren s.c.
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Madison, WI 53701-2018

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July 8, 2011

Harvey L. Temkin, Esq.
Direct Dial: 608-229-2210
hstemkin@reinhartlaw.com

SENT VIA E-MAIL

Chairperson Nan Fey and
Plan Commission Members

Re: LZ Ventures Proposal

Dear Chair Fey and Plan Commission Members:

In anticipation of Monday's Plan Commission Meeting at which LZ Ventures is to present a revised proposal for its intended project located at 1001 University Avenue, I am enclosing a Position Statement which my client, the Luther Memorial Church, has prepared. This Position Statement covers many of the issues discussed two weeks ago at the Plan Commission's June 20 meeting. We realize that the Plan Commission's motion to refer focused on specific issues relating to the shadow impact of the new building on Luther Memorial Church, whether the demolition standards for the 1964 addition to the St. Francis Church were being met, and requesting more information regarding the moving of the St. Francis Church.

While we greatly appreciate the Plan Commission looking at these issues, we wanted to emphasize that, from Luther Memorial Church's standpoint, the other issues which it raised two weeks ago are still very important to it and still, in Luther Memorial's opinion, threaten the continued viability of the church in its current location.

In anticipation of this coming Monday's meeting, Kevin Firchow directed us to the shadow studies and new plans that LZ Ventures filed with the City. Since LZ Ventures has not consulted with us regarding those new plans, we do not know LZ Ventures' intent regarding what it will propose Monday evening. However, we speculate that since Design Option 8 appears to reflect what the Plan Commission was requesting, LZ Ventures will be proposing the four story and three story structure located as shown on Design Option 8. Although Luther Memorial remains very

Chairperson Fey

July 8, 2011

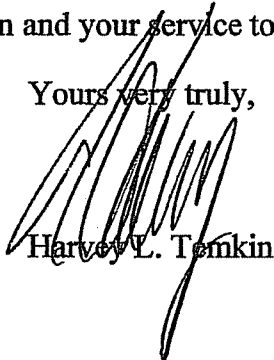
Page 2

concerned about the transformation of this property from a religious to a commercial use, and the effect of that transformation on its congregation, its Block Group Committee, which has been considering this matter, has concluded that if development is inevitable then it could accept Design Option 8 since such a building would not block the light going into the Luther Memorial Chapel and since the smaller scope of the project would result in a smaller impact on noise, congestion and other factors that they have experienced with Grand Central.

On Monday evening, the block group committee will try to limit its testimony to the specific matters that the Plan Commission wanted addressed, although I am certain that some of our continuing reservations may seep in. Assuming that LZ Ventures is proposing Design Option 8, that testimony will likely be much more succinct than that which occurred two weeks ago. The attached Position Statement, however, is very important in that it still addresses many vital concerns that Luther Memorial believes need to be addressed in the final development plans.

Thank you for your consideration and your service to our great community.

Yours very truly,



Harvey L. Temkin

REINHARTV7393486_3HLT:JBS

Enc.

cc Brad Murphy (w/enc)
Kevin Firchow (w/enc)
Alderman Scott Resnick (w/enc)
Attorney William White (w/enc)
Pastor Franklin Wilson (w/enc)
Pastor Brad Pohlman (w/enc)

LUTHER MEMORIAL CHURCH

POSITION STATEMENT ON PROPOSED ST. FRANCIS DEVELOPMENT

July 8, 2011

The purpose of this document is to summarize the position of Luther Memorial Evangelical Lutheran Church of Madison, Wisconsin ("Luther Memorial") on the proposed development of high-rise student housing on the property currently occupied by St. Francis House at 1001 University Avenue, Madison, Wisconsin (the "Development").

1. Luther Memorial opposes the Development because we believe that the Development will threaten the viability of our congregation.

1.1 Luther Memorial is a destination church. It is "Madison's cathedral." Our members come from all over Dane County, and pass other churches on their way here. They come to Luther Memorial for the unique worship experience: the majestic church, the outstanding music, the uplifting light through the stained glass windows, and our consistently excellent pastoral leadership. If any of these elements are compromised, it creates a risk that people will no longer make the extra effort to attend Luther Memorial.

1.2 Our specific concerns include the following, in no particular order:

(a) The Development will block the morning light, preventing the light from hitting our stained glass windows during morning services;

(b) Noise from the Development, coupled with that from Grand Central, will detract not just from morning services but also from special events such as weddings and funerals, which are an important part of our ministry;

(c) Increased congestion, particularly from mopeds, from the Development will make it more difficult for our congregation, particularly the elderly, to attend worship services and other church events;

(d) Vandalism against the church building, which we have experienced from Grand Central, will continue and even increase; and

(e) The likely future development of the Porchlight property on the southeast corner of this block for student housing will isolate Luther Memorial, and create a "mountain range" of student housing on that block that will materially detract from the beauty and majesty of Luther Memorial.

1.3 This is NOT an idle concern. It is not easy to maintain a downtown church. Other churches downtown, and on campus, have lost their congregations, including the

University United Methodist Church at 1127 University Avenue and the St. Francis Episcopal Church, 1001 University Avenue (other than the student ministry which continues).

1.4 Like many other urban churches, Luther Memorial has lost membership in recent years. The number of contributing members over the years has declined from over 1400 in 1988 to 973 in 2010.

1.5 Our church building is indeed majestic and historic, but it is also expensive to maintain. Those expenses add financial pressures to the congregation. Although some have characterized Luther Memorial as "flush," that unfortunately is not the case. We currently have a mortgage on the church incurred to pay for improvements and maintenance over the years, that we have not been able to retire. Currently, we face additional expenses to pay for roof repairs caused in part by the shadowing on the east roof of the church from the Grand Central development. If our congregation does not survive, who will maintain this glorious church?

2. The northern half of the 1000 block of University Avenue is a jewel that must be preserved as a religious and aesthetic oasis.

2.1 Luther Memorial has applied for Landmark status for its church building. There can be no doubt that the building, built in 1921, is a landmark and will be granted that status.

2.2 St. Francis House, and the chapel that is proposed to be demolished, should also be granted Landmark status in Madison. The St. Francis House was built in 1923 and the chapel addition in 1964. Of course, there is no guarantee that the original St. Francis House will survive the proposed move.

2.3 The green space, the historic buildings, and the exclusive religious use of that block combines with Lathrop Hall and the botanical gardens across University Avenue to create a beautiful and peaceful place for students and visitors.

3. Luther Memorial has offered to work with St. Francis House to come to a mutually acceptable solution.

3.1 Luther Memorial has contacted St. Francis House and has offered to discuss ways that St. Francis House could continue its ministry on that site while maintaining the current buildings.

3.2 Luther Memorial does NOT covet the St. Francis site. Although it is true that we have offered to purchase it, we have done so only as an alternative to the proposed Development. We would much prefer to come to an agreement with St. Francis House that would preserve the site as is and would meet the needs of both ministries.

4. Our acquiescence to the construction of Grand Central does not mean that we have forfeited our right to express our deep concerns about the Development.

4.1 We did not seek the construction of Grand Central; the majority owner of the site pushed that project.

4.2 If we knew then what we know now, we would have opposed that project. The noise, congestion, and vandalism resulting from that project have had a negative impact on Luther Memorial.

4.3 The Grand Central site did not consist of two landmark buildings as does the St. Francis site.

5. The proposed Development is inconsistent with the comprehensive zoning plan for the St. Francis site.

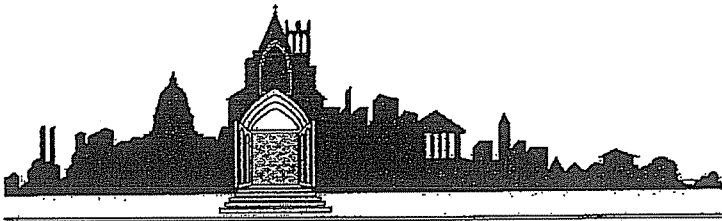
5.1 As Brian Ohm has argued, the proposed use of the property as student housing is inconsistent with the comprehensive plan.

5.2 The Development has not met the requirements necessary for the demolition of the 1964 chapel.

6. There are a few sites in Madison that are so special that they deserve special attention.

6.1 By applying for Landmark status, Luther Memorial acknowledges that it is one of those special sites and is willing to commit to limit its future development opportunities on this very valuable site in recognition of the importance of this site, not only for the Congregation but also for the entire city of Madison.

6.2 The special nature of this site dictates that any development allowed to occur on adjacent properties help preserve the importance of this beautiful site. We do not suggest that no developments should occur on the adjacent properties, but such developments need to be sensitive to the Luther Memorial site. Not only does such sensitivity make common sense, it is also required by Madison's Planned Unit Development Ordinance. Certainly a 12 story apartment building fails this sensitivity test.



LUTHER MEMORIAL CHURCH

Tuesday, July 5, 2011

Dear faithful,

Our struggle to oppose and possibly halt the proposed commercial high-rise development next door at the St. Francis House site continues. The developers plan to take their revised proposal back to the Plan Commission on **Monday, July 11**. We will need to flood that meeting with people opposed to the project.

This massive apartment complex, if built, would:

- Destroy forever the beautiful tree-lined aesthetics of a block that is home to our historic "cathedral," our student ministry and the historic and culturally important St. Francis House;
- Cast a literal shadow over our church, our spectacular stained glass windows and our preschool; and,
- Cast a metaphorical – and dark – shadow over our congregation's survival as future members would compete with the cars, mopeds and crowds of more than 250 new short-term renters to attend our services.

It is imperative that we increase and maintain the pressure on our alders and members of the Common Council and Plan Commission. **Preservation of the St. Francis House site will demonstrate Madison's commitment to the value of a culturally rich, historical building that matches central campus architecture and provides space for religious practice, musical performance, education and not-for-profit work.** Urge your neighbors, family and friends to show up in opposition. Write letters to the editor, to alders and to the Plan Commission: oppose the plan!

Here are our next steps:

- **Attend the City Plan Commission meeting on Monday, July 11.** Luther Memorial Church must bring passionate, knowledgeable and engaged citizens to this meeting to educate the commission members on how devastating this project is to our future. (The meeting starts at 6 p.m. in room 201 of the City-County Building at 210 Martin Luther King, Jr. Boulevard.)
- **Write a letter.** In addition to attending the meeting, please continue to write letters of opposition directly to the Common Council and Plan Commission. Contact information for all Common Council and Plan Commission members is included.

- **Engage positively, constructively and respectfully.** Remember, once again, that we must continue to speak well of our neighbors and not vilify them or their efforts to obtain their goal of sustaining campus ministry. We share their ministry goal but simply believe that there are other ways to obtain it while preserving the St. Francis House site for non-commercial use. Oppose the plan, but do so with kindness, charity and determination.

**NEXT MEETING:
Plan Commission Meeting
Monday, July 11
6 p.m.
City-County Building
Room 201
210 Martin Luther King Jr. Blvd
Madison**

Sincerely,
Luther Memorial Church

City of Madison Common Council Roster

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district1@cityofmadison.com

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Bridget Maniaci
district2@cityofmadison.com

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President
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DISTRICT 4
Michael Verveer
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DISTRICT 5
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President Pro Tem
district5@cityofmadison.com

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district9@cityofmadison.com

DISTRICT 10
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DISTRICT 20
Matt Phair
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Mailings to alderpersons may
be sent to:

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Brad Murphy
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Firchow, Kevin

From: Murphy, Brad
Sent: Thursday, July 07, 2011 3:49 PM
To: Firchow, Kevin
Subject: FW: Luther Memorial Church re: proposed development at 1001 University Ave

Brad Murphy
Planning Division Director
Dept. of Planning & Community & Economic Development
P.O. Box 2985
215 Martin Luther King Jr. Blvd
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608 266 4635

From: Robin Wagner [mailto:rwagner.lmc@gmail.com]
Sent: Thursday, July 07, 2011 11:02 AM
Subject: Luther Memorial Church re: proposed development at 1001 University Ave

Dear Fellow Citizens:

Please see the linked article from the online *Isthmus*, written by UW student Jamie Stark, and published last winter. I think Jamie captures the campus presence of Luther Memorial Church as we oppose the proposed St. Francis development: we're not opposed to students, but simply this massive elevated concentration of them and the consequent destruction of the St. Francis site, its beautiful chapel, and tranquil setting -- all detrimental to the continuing life of Luther Memorial Church.

With thanks for your service to our city,

The Reverend Franklin A. Wilson, PhD
Senior Pastor
Luther Memorial Church
1021 University Avenue
Madison, WI 53715

Madison Believers: Luther Memorial Church melds tradition and liturgy with fellowship and music in a historic campus cathedral

Jamie Stark on Thursday 12/23/2010 12:00 pm

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RELIGION

Madison Believers: Luther Memorial Church melds tradition and liturgy with fellowship and music in a historic campus cathedral

Jamie Stark on Thursday 12/23/2010 12:00 pm

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While touring [Luther Memorial Church](#) before being hired, Pastor Franklin Wilson wondered to himself, "Is Charlemagne tromping around in here?"

Walking past the 87-year-old church, located on University Avenue in the heart of the University of Wisconsin campus, it's easy to think some overzealous Lutherans were looking to build a European cathedral in Madison. Walk inside, and the setting is even more striking.

Outside, the church's green-shingled roof and empty bell tower are iconic, but overlooked after such a long presence on campus. A massive stone baptismal font greets worshippers just inside the entryway, behind which a choir balcony and a 56-rank pipe organ loom over the nave. At the other end of the hall, an ornate stone centerpiece rises two stories above the altar, its near life-size statue of Jesus Christ watching over his flock. A creaky hardwood floor and ornate wall paintings work their way up to stained glass topped by soaring arches.

The congregants even sit on local history. Most of the pews where the 200-some congregants sit each Sunday were transported, decades ago, from the church's first permanent location. Many Madisonians drive past it daily, or perhaps have bought a Jaeger Bomb there: it's the building that now houses the Church Key Pub and Grill, just a few blocks east up University. The tavern has obviously done some remodeling since.

Luther Memorial may look medieval, but its approach is nonetheless contemporary; a campus church in Madison is bound to have progressive-minded congregants.

I started attending Luther in my freshman year and have been an associate member since last spring. I first stopped in because I was raised in the [Evangelical Lutheran Church in America](#), and Luther was the closest ELCA church to my dorm. Between the neo-Gothic architecture and the traditional choral music, I quickly decided the church was the right place to spend my Sunday mornings, or at least those I didn't sleep in too late. A few more stressed-out college students could probably benefit from the peaceful reflection and soul-searching time offered by the pipe organ and heavenly choir.

3.
4.

I've never been the only college student at a Luther service, and parishioners can't go a Sunday without hearing mention of students or exams in prayer or during the sermon. The clergy and congregants seem to understand Luther's student roots and the connection between the university community and the church. Second to "student," the buzzword at Luther is "liturgy," as the church describes itself as a place where everyone can be a part of the communal worship service.

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7.

A few hearty Lutheran Wisconsinites founded the church in 1907 as a student Bible study group. From there, the congregation rented space in a synagogue for weekly worship, moved to the Church Key location, and built the current cathedral in 1923. It was the first Lutheran church in Madison to offer services completely in English.

10.

Luther's history leaves me optimistic about the chances of other start-up churches' efforts, like Red Village, which is currently in its "renting space" phase of a potentially similar Bible-study-to-established-church cycle. Although fewer people attend church than did a century ago, the story of a group of students meeting to share the Good Book and ultimately building a gorgeous community centerpiece like Luther Memorial is inspiring.

Luther's close partnership with its next-door neighbor, the Lutheran Campus Center, highlights a student-friendly approach to the church's future. The LCC, which hosts volunteer opportunities, worship, Bible study and even study space during finals, often holds services in the church. LCC pastors often lead services at Luther, and the church even owns the center's land. It isn't a subservient arm of the church, though, as the two spaces offer different worship and community opportunities for differing sets of congregants.

Showing its flair for tradition, Luther doesn't rush Christmas, and goes all out for an annual cycle of holiday services and celebrations. Through December, the church hosted several Christmas concerts, featuring performances by the Madison Youth Choirs and the UW Choral Union, among others. Sunday services have been devoted to the four weeks of Advent, building anticipation for the big day.

The annual "Greening of the Nave" was held on Sunday, Dec. 19, where members of the congregation decked the church with Christmas trees, wreaths and garland. Walking into the sanctuary now brings a punch to the face of fresh pine. Although the holiday decorations are a festive change of pace, they certainly add to the formal and traditional feel of the sanctuary. Between the green touches and increased emphasis on music, parishioners can't forget it's Christmastime.

Everything culminates on Christmas Eve. A 5 p.m. service is geared toward families, with performances by youth and children's choirs, and at 10:30 p.m., the adult choir primes the sanctuary for an incense-steeped Eucharist service at 11 p.m. for celebrants looking to worship after an evening of overeating and eggnog. The Christmas Day service at 10:30 a.m. is more traditional, with a heavier focus on the theology of the Nativity. Luther also hosts a "Third Day of Christmas" carol sing on December 27, a reminder that the holiday is not over even though the presents are opened and the leftovers are eaten.

Christmas at Luther, in a way, highlights the church's commitment to tradition. Given the baroque atmosphere and near-Catholic feel to services, it may be surprising that a student like myself would choose to attend church here. But it's the melding of old and new that draws me to Luther Memorial. The building looks a Gothic cathedral, but the church has a Facebook page and preschoolers running around its playground. When the pipe organ is playing and the choir singing, sitting in the back of church, I can still see the cars speeding down University.

Luther Memorial is a haven for traditional Lutheran beliefs in a modern world, and a sanctuary for peaceful introspection on a busy, bumpy road.

Jamie Stark is a student at UW-Madison majoring in journalism and political science. He is a member of Luther Memorial Church and writes about the diverse religious community in Madison.

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Firchow, Kevin

From: Murphy, Brad
Sent: Thursday, July 07, 2011 5:41 PM
To: Firchow, Kevin
Subject: FW: high rise in 1000 block of University Avenue

Brad Murphy
Planning Division Director
Dept. of Planning & Community & Economic Development
P.O. Box 2985
215 Martin Luther King Jr. Blvd
Madison, WI 53701
608 266 4635

From: L. Southwick [mailto:lmsouthwick@cox.net]
Sent: Thursday, July 07, 2011 2:05 PM
To: Murphy, Brad
Subject: high rise in 1000 block of University Avenue

To the members of the Planning Commission:

I am concerned about the proposed commercial high rise development in the 1000 block of University Avenue, a beautiful, historic block of religious buildings that include Luther Memorial Church, the Lutheran Student Ministry, the historic St. Francis House and the 1964 Episcopal Chapel. The people of Madison value the magnificent cathedral that is the centerpiece of this block and recognize the role that all four buildings have played in religious practice, education, music performance, and other not for profit work. Developers' proposal to put up a second huge high rise forever changes this block. For those who view the proposed infill realistically, it spells the ultimate demise of Luther Memorial Church. Approving this project will almost certainly lead to a third commercial high rise on the block. I support the Episcopal ministry but believe that alternate means must be found to underwrite the ministry that do not involve massive commercial infill and imperil the future of Luther Memorial. This Lutheran congregation has already seen the results of developers' planned congestion in the aftermath of the Grand Central high rise erected behind the church---noise, vandalism, traffic and parking issues. The proposed high rise on the St. Francis site adds to these issues and casts permanent shadows on the stained glass windows of Luther Memorial.

Madison is a community that has impressed me very much as valuing history, beauty, and the aesthetics of its neighborhoods and streets. I urge you to preserve this unique block of University Avenue and approve commercial high rises for more appropriate sites.

Lynda M. Southwick
5015 Sheboygan Ave. #306
Madison.

Firchow, Kevin

From: Murphy, Brad
Sent: Thursday, July 07, 2011 5:52 PM
To: Firchow, Kevin
Subject: FW: Proposed Redevelopment of St. Francis House Parcel at 1001 University Avenue, Legislative File ID: 22443

Brad Murphy
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From: Rita Sweeney [mailto:rita.sweeney@gmail.com]
Sent: Thursday, July 07, 2011 2:09 PM
To: Murphy, Brad; Bidar-Sielaff, Shiva; Resnick, Scott; King, Steve; Rummel, Marsha; Schmidt, Chris; erics@cow.s.org; jolson@operationfreshstart.org; michael.heifetz@deancare.com; mabasford@charter.net; avandrzejews@wisc.edu
Cc: Franklin Wilson; Brad Pohlman; Madison Trust for Historic Preservation; Phil Schoech; Douglas Swiggum
Subject: Proposed Redevelopment of St. Francis House Parcel at 1001 University Avenue, Legislative File ID: 22443

Dear City of Madison Plan Commissioners and Alders:

I am writing this letter to express my opposition to the 90-unit, 225-bed student housing high-rise apartment building proposed by LZ Ventures ("the developers") on the site of St. Francis House at 1001 University Avenue.

I am a member of Luther Memorial Church ("LM"); I was married at this church, my two children were baptized at LM, and my first child was buried from this church after his death from SIDS at the age of 10 weeks. I have served on several committees at LM, and am past chair of the LM Social Ministry Committee, which organizes LM's outreach work to the Madison community and more broadly through partnering with several organizations serving people in need such as The Road Home (formerly the Interfaith Hospitality Network), Habitat for Humanity, Savory Sunday, MMSD's program for families living in transitional housing, Meals on Wheels, and the Appalachian Service Project.

In this letter of opposition to the proposed high-rise building, I will focus my comments on several statements made by Attorney William F. White from the law firm of Michael Best & Friedrich LLP in his June 17th letter to Nan E. Fey, Chairperson of the City of Madison Plan Commission. Att. White notes that the developers of the proposed building also developed the Grand Central student apartment building on the same block. In his letter, Att. White states, "Grand Central has been an enormous success," but he does not mention that there have been over 150 police calls to Grand Central since August 2009. This inordinate number of police calls contradicts the picture of a safe and secure student housing complex painted by Att. White in his June 17th letter and June 20th testimony before the Plan Commission.

Att. White notes that the proposed redevelopment of the 1001 University Avenue plot includes the relocation of St. Francis House. He does not mention that the proposal includes the relocation of only the 1929 portion of the existing St. Francis House student center, while it also provides for the demolition of the 1964 addition to the older chapel. Att. White misleadingly states that [only the 1929 portion of] the "existing St. Francis House will be relocated "on-site to complement the architecture of its neighbor, Luther Memorial Chapel (sic)." The developers have stated many times that it would be difficult to construct an economically viable student apartment building at 1001 University Avenue if the 1929 chapel remained in its current location. It is through the demolition of the 1964

addition and the relocation of the 1929 chapel that the redevelopment of this site for high-rise student housing becomes sufficiently profitable for this project's developers. The relocation of the chapel does not spring from a desire to complement the LM architecture; the reason for relocating the chapel is based on the economics of this project.

I have not read all the details of this redevelopment proposal, but I would like to raise the question of whether this proposal has adequately projected the substantial costs of moving the old stone and brick chapel, a building that has been termed "irreplaceable" by Mr. Jason Tish, Executive Director of the Madison Trust for Historical Preservation in his June 14th letter to Plan Commissioners. Beyond the substantial cost of moving this historically significant – although lacking the protection of Madison's Landmarks Ordinance – chapel, I think it is very important that the developers provide evidence that they have also adequately budgeted for any repairs that will become necessary as a result of the likely damage caused by the relocation this stone and brick chapel. At the June 20th meeting of the Plan Commission, some commissioners expressed disappointment that they had not heard very many concerns expressed about the proposed redevelopment's impacts on the existing St. Francis House. I share this disappointment and I fear that the sparse attention paid to the project's impacts on the 1929 and 1964 portions of St. Francis House reflects the developers' views on what is and what is not important.

Att. White states that the proposed student housing is "supported by Porchlight." I may have missed it, but I have not seen a letter of support for this project from the Porchlight Board of Directors. My recollection[1] is that when Steve Schooler from Porchlight spoke at the June 20th Plan Commission meeting, he began by saying that he was not speaking either in support of or in opposition to the redevelopment project. I recall that Mr. Schooler then spoke about how Grand Central's management and tenants have been good neighbors to Porchlight. My understanding is that the Porchlight organization has a neutral position on this redevelopment project, although at least one Porchlight staffer has privately expressed his support for the project as well as his gratitude for the generous donations Grand Central's developers have made to Porchlight.

Att. White mischaracterizes LM's concerns about the proposed redevelopment as "both unusual and ill-founded." Many of the concerns raised by LM staff and congregation members are based on our two-year experience with the damage caused to the LM roof and walls from the more destructive ice dam problems and the resulting water seepage into our church since the construction of the 14-story Grand Central tower with its significant shadowing effect on our property. At the time Grand Central was under development, LM staff and members were unaware of the potential damage from the shadows cast by the proposed building.[2]

The LM Preschool's playground is also significantly shadowed by Grand Central. In the past two winters, the preschool teachers have had to cancel outdoor playtime much more often than in previous winters due to the fact that much less sunlight now reaches the playground. Thus the playground surfaces are now icy and unsafe on many more winter days than prior to the construction of Grand Central. It is worth noting that very few of the LM preschool students are children of LM members. Most of the LM preschool students are children of UW faculty, academic staff, and students who are not LM members. It is part of LM's outreach mission to the general Madison community to highly subsidize the operations of the preschool and also provide scholarships for families in need.

Some of the concerns of the LM staff and congregation are also based on the unanticipated extent of the vandalism caused by Grand Central tenants. Yes, the LM congregation had realized that we would likely experience some negative externalities from student antics. But the extent of the vandalism has been extraordinary and more thoughtless and mean-spirited than we had anticipated from our long-term close relation with many UW students including the tenants of the former Wayland Foundation houses on our block. LM staff and volunteers now need to climb the ladders and footholds up to the top of our bell tower more often than in the past in order to inspect for the results of vandalism and remove the beer cans, hard liquor bottles, eggs, pumpkins, fruit, etc. that are thrown into the tower, clogging drains and causing other damage. Some of these projectiles have also clogged our gutters and downspouts; the resulting back-up of water and ice have caused costly damage. Due to the heights of our church's roof and bell tower, it has been an onerous and extremely time-consuming task to keep up with these problems.

Thus many of the concerns expressed by LM members are not at all ill-founded – as stated by Att. White – but rather well-founded and directly based on the costly problems we are currently experiencing as a result of the shadows cast by the Grand Central high-rise and the vandalism from Grand Central tenants.[3] Given the proposed 1001 University Avenue project’s size and location on the block as well as the placement of the proposed apartment balconies, LM members anticipate that this proposed project will result in potential vandalism and even more significant shadow damage to our property than we currently suffer from Grand Central and its tenants. Several LM members have also expressed concern about the negative impact from the shadows cast on our stained glass windows during early services. I share those concerns but when it comes to the loss of light reaching LM property, I am even more troubled by the fact that the LM Preschool’s windows in the lower level of the east side of our property will be almost fully shadowed throughout the day by the proposed redevelopment. I think the shadowing of the preschool’s windows is a very detrimental aspect of the proposed project.

The LM pastors and congregation members have repeatedly stated our very strong support for the Episcopal ministry at St. Francis House. I believe that Att. White has misinterpreted LM’s objections to the proposed high-rise building as evidence that LM objects to student housing on the St. Francis House site. If a proposal for a student housing building was thoughtfully designed for this relatively small plot so that (a) the 1929 chapel was adequately protected from potential damage, (b) the proposed new building didn’t cast shadows on the 1929 chapel and LM that both cause ice damage to these religious structures and diminish the sunlight reaching these religious buildings and the LM Preschool rooms, and (c) this likely lower-rise building would have fewer high balconies from which projectiles could be launched onto both the 1929 chapel’s and LM’s roofs and gutters or aimed at stained glass windows, then many of the concerns relating to developing student housing on the St. Francis plot would evaporate. From its formation as a congregation at a previous site near campus over 100 years ago, one of LM’s primary missions has been its ministry to college students, faculty and staff. We wholeheartedly welcome students to worship in our church, join in LM community outreach work, enjoy our weekly brown-bag noon organ concerts during the academic year, and participate in many other LM activities. LM had no objections to the student housing at the two Wayland Foundation houses that were previously adjacent to our property for many years prior to their sale to the Grand Central developers. LM objects to the current proposal due to the negative impacts we anticipate after our reviews of the plans included in this proposal; this does not mean that we would object to more thoughtfully planned student housing on the block.

Att. White notes that the 1001 University Avenue property is located in the R-6 district, the densest zoning allowed by Madison’s zoning ordinance. He also notes that the project is proposed as a PUD and not under the R-6 district. I’m much less familiar with R-6 zoning and PUDs than is Att. White, but it appears to me that Att. White (on behalf of LZ Ventures) may be attempting to justify R-6 density based on the proposal’s location in the R-6 district, while at the same time trying to avoid the R-6 requirements for parking stalls by requesting that this proposal be rezoned from R-6 to PUD. I have excerpted below part of the table that appears on pages 2-3 of the Report to the Plan Commission by staff (included as the attachment named “Staff Comments.pdf” in the Master Detail Report for this proposal).

Site Design	Required	Proposed
Number parking stalls	141	63
Accessible stalls	3	2
Loading	2 (10’ x 35’) areas	1 (10’ x 35’)
Number bike parking stalls	90	41 – surface 33 – underground 115 – underground/wall hung 189 total
Landscaping	Yes	As shown on plans
Moped Parking	0	37 – surface 21 – underground 58 total

As seen in this table, the proposed number of parking stalls, accessible stalls and loading stalls fall short of the stalls that are required for the R-6 district. This table also shows that the proposal includes more bike parking stalls than would be required for the R-6 district, although the vast majority of these bike parking stalls are underground and more than half are listed as underground/wall hung. The proposal also includes 58 moped parking stalls, while the R-6 district has no required moped parking stalls. I don't know how (1) the proposed number of bike and moped parking stalls and (2) the proposed surface vs. underground location of these stalls compares to the number and location of bike and moped stalls provided by the same developers at Grand Central. I do know that many bikes and mopeds are regularly parked outside of the designated surface bike and moped stalls along Mills Street on the west side of Grand Central, and it is very common to see mopeds and bikes partially or fully blocking the sidewalk along Mills Street. If there are vacant underground bike and moped parking stalls at Grand Central, then it appears that Grand Central tenants much prefer to park on the sidewalk where there aren't stalls rather than use the underground stalls. It often becomes difficult to walk through the inappropriately parked bikes and mopeds on the sidewalk along Mills Street and, at times, it would be impossible for someone in a wheelchair to use this sidewalk.[4]

Att. White's statement that the proposed building "is much further away from Luther Memorial's stained glass than is Grand Central" is extremely misleading. Does Att. White realize that LM's stained glass windows are in the east, north and west walls of our church and not in the south wall of our church, which is the wall of our church that faces Grand Central? Or is he well aware that Grand Central does not face one of the LM walls that has stained glass windows, but is he uncertain as to whether the city's commissioners and alders are aware of this fact? Att. White is correct in stating that the proposed high-rise will be further from LM's stained glass than is Grand Central, but he neglects to mention that many of the balconies on the proposed 1001 University Avenue apartment building will directly face the stained glass windows in the east wall of our church. Our concern about potential vandalism from projectiles launched at our stained glass windows is based more on the fact that our east windows would be in the direct line of fire from the proposed building's balconies rather than from this building being somewhat less proximate than is Grand Central. Some items launched at our building from Grand Central's balconies have actually been found on the roof of our education wing on the east side of our church. This roof is at a bit of a distance from Grand Central and I've been told that it would have required athletic abilities – or maybe extraordinary luck – to make the bank shots required to successfully land eggs and fruit on this roof. Thus some of Grand Central's tenants have demonstrated that they like the challenge of aiming for remote sections of LM property relative to the position of their balconies. Due to our experience with projectiles launched from Grand Central, the distance between the proposed building's balconies and the stained glass windows in LM's east wall provides LM members with absolutely no sense of comfort or reassurance that these windows will survive unscathed. I am also very concerned with the potential vandalism to the 1929 chapel that will be even closer to the proposed building's balconies, although the lesser challenge may provide some safety.

Att. White reminds the commission that LM financially benefited from selling our former surface parking lot on the southwest corner of the block to the developers of Grand Central. He does not mention that LM had absolutely no interest in selling this property until the developers contacted us with their proposal; we sold this parking lot to the developers because it seemed at the time to be the best of the unwelcomed options presented to the LM pastors and lay leaders by the developers. My understanding is that the developers told LM leaders that the Wayland Foundation was selling them the foundation's two properties: one in the middle of the south side of the block and the other in the middle of the west side of block.[5] The developers said that they planned to build a 10-story student housing building on the land purchased from the Wayland Foundation. The developers also told the LM leaders that they would build this high-rise whether or not LM sold its surface parking lot to them.[6] The developers eventually convinced our LM leaders that our best option, given that the developers said they would move ahead with their plans to build on the Wayland Foundation land even if we didn't strike an agreement with them, was to sell our surface parking lot to the developers for a combination of cash and an allocation of underground parking spaces in the Grand Central building. Many congregation members now say that if they had known then what they know now they would have vehemently opposed the Grand Central development. It was not because we received money from the developers for our surface parking lot that LM supported the Grand Central development. It was because we were naively unaware of the damaging effects LM property would be exposed to from the Grand Central shadows and vandalism, and we also didn't want our surface parking lot to lose its value, as predicted by the developers, as the result of their building a high-rise on the north and east sides of our corner parking lot. LM members expected more congestion from Grand Central, but not the level of congestion from Grand Central tenants partially or fully blocking the sidewalk with bikes and mopeds. We had also not anticipated how many students would drive cars, mopeds, and bikes the wrong way on the one-way Conklin Place, and the number of potential accidents due to this behavior. Our experience makes us fearful of the danger posed by increased one-way violations on Conklin Place due to the placement of bike and moped stalls in the proposed redevelopment of the 1001 University Avenue plot.

Att. White inaccurately reports in his letter: "Luther Memorial also raises questions of potential negative impacts from the student residents on site. Once Luther Memorial reported apparent infractions to the owners of Grand Central, they were immediately taken care of." This is absolutely not the case. Luther Memorial reported the vandalism from Grand Central tenants to the Grand Central management, and the Grand Central management did not take care of the problems immediately. In disappointment and frustration, Luther Memorial found it necessary to contact Madison police about the vandalism. It was only after the Madison police got involved that Grand Central management eventually paid some repair bills.

More significantly in terms of not covering the full costs suffered by LM, Grand Central has never offered any compensation to LM for the innumerable hours of time spent by our custodian, church administrator, pastors, and lay members in monitoring and dealing with the many acts of vandalism from Grand Central tenants. Our staff and volunteers have spent an extraordinary amount of time inspecting damage and trying to figure out how best to arrange for repairing the damage. This is hard and frustrating work and it really eats up the time needed by our staff to complete their normal work tasks. Our volunteers have also had to postpone other projects in order to help deal with issues arising from the vandalism. Many smaller acts of vandalism have likely gone unreported and we don't know if we are yet aware of the full extent of damage from Grand Central's shadowing effects. Although Grand Central management has indeed paid for some of the necessary repair bills, Grand Central management has only partially covered the total costs of the damage since they have never offered any compensation for the hours of time expended by our staff and volunteers. LM is now facing costly repairs to our roof. The contractors have explained how shadows from Grand Central greatly exacerbated the ice damage to our structure. I do not know for sure, but I wouldn't be surprised to have it confirmed that Grand Central management has not offered to help cover the cost of our necessary and expensive roof repairs.

Other LM members have provided details of the negative impacts of shadows from the proposed development on the enjoyment of our stained glass windows and the light they cast inside our church. Att. White provides no support or definition for his describing these shadows as "minimal," nor does he address the effect of the shadows on the LM preschool rooms. LM members applaud the goal of providing students with safe, secure and energy-efficient housing. But we are concerned that the proposed development will act to the detriment of the safety and security of the LM preschoolers, their families, and members of the LM congregation. The shadows from the proposed development are likely to cause an increase in the use of artificial lighting in our preschool, offices, and church, thus reducing our energy efficiency in order to achieve the same level of light we currently experience in these spaces. I know the definition of ambient light; but I do not understand Att. White's statement: "Ambient light will still illuminate the stained glass windows." It would be helpful to see the science or engineering behind this bold statement.

LM greatly values having the St. Francis House Episcopal Student Center as a next door neighbor, and we fully support the ministry at St. Francis House. I feel that our current next door proximity to the 1929 and 1964 portions of St. Francis House does provide synergies for our LM ministries. But I take issue with Att. White's extraordinary suggestion that relocating the 1929 chapel so that it is crowded up against our shared property line while also demolishing the 1964 addition to St. Francis House – which is currently closest to this shared property line – will somehow do anything at all to enhance the synergies between the St. Francis House and LM ministries. Possibly Att. White is not aware of the current synergies between these two ministries. Not long after Rev. Franklin Wilson moved to Madison from Salem, Oregon, in order to serve as the senior pastor at Luther Memorial, we revised our weekly bulletin and added the name of the St. Francis House rector to our listing of the names of LM staff, the Lutheran Campus Center pastor, and the bishop of our synod. Due to our scant parking on site, many LM members park under Grainger Hall on the east side of Brooks Street and thus walk past St. Francis House on our way to and from LM. I have always delighted in seeing the beauty of the St. Francis House lawn, trees, and building as the changing seasons add variety throughout the year. LM also rents the parking lot at the back of the St. Francis House plot for LM members and visitors to use on evenings and weekends, providing a bit of revenue for the St. Francis House ministry. LM currently also enjoys great synergy from the location of the Lutheran Campus Center ("LCC") as our neighbor to the west. I would find it ludicrous if a proposal was made to demolish the LM preschool playground between LM and LCC, allowing for the relocation of LCC a few yards closer to LM in order to enhance our synergies. Certainly a proposal to demolish the 1964 St. Francis House addition to allow for the construction of a high-rise between LM and the current location of the 1929 chapel would indeed greatly diminish the synergies between LM and St. Francis House, but thankfully that's not the current proposal!

My reading of the June 14th letter from Mr. Tish, Executive Director of the Madison Trust for Historic Preservation, does not totally jibe with Att. White's characterization of this letter. Att. White does not reveal that Mr. Tish expressed any concerns about the proposed redevelopment of 1001 University Avenue. Yes, Mr. Tish wrote that the Trust supports the proposal to relocate the 1929

chapel to the corner of the parcel and remove the 1964 addition in order to build a new residential building, but he also writes that this proposal is "a reasonable compromise given the absence of protection of this historically significant property under the city's Landmarks Ordinance. ... Retaining [the 1929 chapel] and allowing its continued use is the right thing to do."

The second paragraph of Mr. Tish's letter provides fascinating information about the style of the 1929 chapel and its designers, providing the historical importance of this building.

Att. White neglects to include any mention of the third paragraph of the letter from the Executive Director of the Madison Trust for Historic Preservation, which I've copied here:

"The proposed new construction, however, has some design issues that may have deleterious effects on the **St. Francis House** and the adjacent Luther Memorial Church, currently under consideration for Madison Landmark status. The new residential tower may affect the interior atmosphere of the adjacent Luther Memorial Church by shading its large east-facing stained-glass windows in (sic) during morning hours. While this does not affect the fabric of the church itself, it would have a negative impact on the spiritual use of the building for which it was explicitly designed." (emphasis added)

In his fourth paragraph, Mr. Tish discusses the possibility that the shadowing effect of the proposed high-rise could obstruct the melting of ice from winter sun and exacerbate the weathering of LM's roof materials and cornices. In the last paragraph of Mr. Tish's letter he says that "this project is a good example of retaining and restoring an existing historic building and designing new construction around it."

It is true that Mr. Tish's letter supports the current proposal for redeveloping the 1001 University Avenue plot, which provides for the preservation of the 1929 St. Francis House chapel. But Mr. Tish's letter, as described above, also mentions that this proposal includes design issues that may deleteriously affect both the St. Francis house and LM. Att. White did not mention that Mr. Tish's letter raised any concerns about the project.

In the penultimate paragraph of Att. White's letter, he addresses the UDC's deferring to the Plan Commission's opinion on whether the proposed redevelopment of the St. Francis House parcel will maintain the religious corridor. Att. White opines that "placing St. Francis House and Luther Memorial adjacent to each other enhances and promotes the historic relationship of the few remaining religious structures on University Avenue." But St. Francis House is, in fact, already adjacent to Luther Memorial! The current west wall of St. Francis House is just a few yards from the shared property line. However, with the current St. Francis House set back from the sidewalk in a green lawn with a large tree, it does not appear squeezed up against the property line. Only if the developer demolishes the 1964 St. Francis House addition, does not relocate the 1929 St. Francis House chapel next to the property line, and then builds an apartment high-rise between the 1929 chapel and Luther Memorial would St. Francis House and Luther Memorial no longer be adjacent to each other. In my opinion, the current proposal's plan to demolish the relatively large 1964 St. Francis House addition, relocate the 1929 St. Francis House chapel, and construct a non-religious apartment building surrounding and towering over the 1929 chapel would definitely diminish the "religious corridor" nature of this block that currently has only religious buildings and green space situated along University Avenue.

Att. White concludes his penultimate paragraph by stating: "Also campus housing enhances, not diminishes, campus ministry." This sentence is Att. White's unsupported opinion, not a statement of fact. I'm not aware of any research conducted on this issue that would support Att. White's opinion; but I would be very eager to read any evidence Att. White has supporting this opinion. U.S. campus ministries have been struggling for several years and a large number of campus ministries have recently found it necessary to close down. The University United Methodist Church, formerly at 1127 University Avenue, held a "closing celebration" on June 19th after nearly 100 years of campus ministry. To my knowledge, there is no evidence that campus ministry has been either enhanced or

diminished as a result of the construction of Grand Central, which is located just across the narrow Conklin Place from the campus ministry building on Mills Street.

I apologize for the length of my letter, but I feel it is important to address many of the bold but unsupported statements in Att. White's letter, and I did not want to address his statements with equally bold and unsupported statements. Att. White made several similar statements when he spoke at the June 20th Plan Commission meeting, thus strengthening my interest in addressing the statements in his letter.

I will end my letter by relating an unfortunate encounter I experienced during the break following the public testimony at the June 20th Plan Commission meeting. I was sitting very near six people associated with or supportive of the developers, and during the break I overheard them talking and laughing about how they were so surprised that the speakers were all "so polite." One person commented: "What do you expect? They're all priests." This comeback elicited even heartier laughter. Another person said how he couldn't believe that the LM pastor would waste any of his allotted three minutes by taking the time to thank several people. I had moved to stand directly in front of these six people, making it clear that I was openly listening to their indiscreet and inappropriate comments. My close proximity and direct stare only seemed to embolden some of these folks to even further indiscretions. I finally had to speak out, explaining that I was a member of LM and, being from the East Coast and an economist not a priest, I didn't find it necessary to be "polite" when I heard people making rude comments about others. I also explained that it was our senior pastor's nature to thank other people for their time and sincere efforts – even if they disagreed with him – and to listen politely to everyone's opinions. I also said that they would be making a mistake if they underestimated our senior pastor's intelligence or passion in supporting what he believed to be right. (I was shaking with anger when I spoke out and I likely was not very articulate.) Some people in this group walked away and I can only imagine their subsequent comments. I think two people stayed a few minutes longer and I exchanged a few comments with one of them in which I described some of the vandalism from Grand Central tenants and the bikes and mopeds that are often strewn on the sidewalk along Mills Street. After this encounter, I was left with the strong impressions that the developers and their supporters 1) lack respect for the intelligence and negotiating skills of LM pastors and leaders, 2) feel that they are much more savvy when it comes to casting their proposals in the best possible light before city commissions and elected officials, and 3) believe that the LM members and other people who are opposing the current proposal to redevelop 1001 University Avenue are mainly amateurs.

Sincerely,

Rita C. Sweeney

2130 Chadbourne Avenue

Madison, WI 53726

rita.sweeney@gmail.com

[1] As I write this letter, the minutes of the June 20th Plan Commission meeting are not yet available on the city's website.

[2] It is true that LM publicly supported the Grand Central development, but many LM members now strongly rue their naive support of that project. Based on verbal reports about the meetings with the Grand Central developers, the LM congregation anticipated that Grand Central would be a 10-story building, despite the fact that the Grand Central proposal was for a 14-story building. The congregation was led to believe that the savvy business strategy was to propose a 14-story building, while expecting that the city would approve only 10 or 12 stories. LM members were inexperienced in these matters and did not realize that the proposal for a 14-story building would likely gain city approval if all the neighbors of the proposed building publicly supported the proposal. Of course, once the city approved a 14-story building, the developers no longer felt bound by what they had previously told LM leaders about their plans to build a 10-story building. If the developers had constructed the 10-story Grand Central building as originally anticipated by the LM congregation, the damage to LM from Grand Central's shadows would likely be less severe than what we are currently experiencing from the 14-story building. Over the last few years, LM members have learned hard lessons about verbal agreements. Other parties have reneged upon several verbal agreements between LM and these other parties, and LM has suffered substantial losses and costs as a result of putting too much trust in verbal agreements. LM does not possess a strong suit in hardball business tactics.

[3] Having suffered numerous incidents of destructive vandalism over the last two academic years, LM is happy to report that the acts of vandalism from Grand Central tenants have become less frequent following the recent eviction of some troublesome tenants.

[4] I have pictures from the last two Sundays of the bikes and mopeds parked on the sidewalk outside Grand Central. Unfortunately, I do not have any pictures taken during the spring semester when this piece of sidewalk was even more congested.

[5] These two Wayland properties touched at corners, but when combined they formed a very unusual footprint. The LM surface parking lot at the southwest corner of the block shared a border with one Wayland property to its east and the other Wayland property to its north. Thus if LM sold our parking lot to the developers, the combined lot from the three properties would result in a larger and much more regular footprint for a building lot.

[6] At the time, I personally felt that the developers were using hardball negotiating tactics to get us to agree to their preferred plan and that they anticipated that the LM leaders would be trusting and somewhat naïve. As an economist, I seriously questioned whether it would be economically viable to develop a high-rise building on only the oddly shaped plot resulting from combining the two Wayland properties. I thought the developers were in fact bluffing us and that they anticipated that LM leaders would trust in their honesty and believe this bluff. I also thought that if LM refused to sell our parking lot, the developers would likely abandon the project and might back out of purchasing the Wayland properties. I think my views were considered by some as overly cynical at that time; some folks may have wondered why I didn't trust the developers at their word. The developers emphasized to LM leaders – possibly without candor -- that if LM didn't sell our parking lot to them, then this parking lot would lose most of its value once the developers built a high-rise on the land they planned to purchase from the Wayland Foundation, which bordered the corner LM surface parking lot on its two interior sides. Our former pastor said she was furiously writing grants seeking funding that would allow LM to purchase the two Wayland Foundation properties and develop these properties for religious, educational and/or outreach ministries. However, the developers presented LM with a short time-frame for deciding on whether we would sell our parking lot to them, and our former pastor did not succeed in getting the necessary funding for alternative development within this short time-frame.

Firchow, Kevin

From: Murphy, Brad
Sent: Friday, July 08, 2011 11:56 AM
To: Firchow, Kevin
Subject: FW: Letter of Opposition to the proposed construction at 1001 University Avenue

Brad Murphy
Planning Division Director
Dept. of Planning & Community & Economic Development
P.O. Box 2985
215 Martin Luther King Jr. Blvd
Madison, WI 53701
608 266 4635

From: Lynn Washington Rettig [mailto:lwrettig@wisc.edu]
Sent: Friday, July 08, 2011 11:03 AM
To: ALL ALDERS; Veldran, Lisa; Fields, Debbie; Murphy, Brad; erics@cows.org; jolson@operationfreshstart.org; michael.heifetz@deancare.com; avandrzejews@wisc.edu; Mayor
Cc: office@luthermem.org; Pastor Brad Pohlman; Pastor Franklin Wilson
Subject: Letter of Opposition to the proposed construction at 1001 University Avenue

To: The Members of the City Planning Commission; Madison City Council; Mayor Paul Soglin

Re: Proposed Development on the St. Francis House site, 1001 University Avenue

8 July 2011

Dear City Planning Commission, City Council, and Mayor Soglin,

As a member of Luther Memorial Church, I am writing in opposition to the proposed development on the St. Francis House site at 1001 University Avenue.

By this time, I am sure all of you have heard all about how it will affect not only the physical building of Luther Memorial, but the quality of life for our congregation. While I wholeheartedly agree with that, I would like to present my opposition from a different perspective.

As a student at the University of Wisconsin - Madison, my classes tend to keep me within the eastern third of the campus. I bounce around from the Humanities Building, to the Art Lofts, to Van Hise Hall.

The 1000 block of University Avenue, encompassing St. Francis House, Luther Memorial, the Luther Campus Center and the Botanical Garden directly across the street from those three buildings provides the only quiet and peaceful space in this part of the campus.

Each building has its own special feel. The Lutheran Campus Center is the liveliest of them all, even as it provides a quiet study area with internet access. Luther Memorial is grand, but at the same time, peaceful and soothing.

St. Francis House, *especially* the portion that would be destroyed in the construction of the development, is warm and welcoming. The Sanctuary that butts up against the office/school wing of

Luther Memorial has beautiful stained glass windows, warm woodwork, and fantastic acoustics, all of which would be lost if this development goes through.

As a musician who has performed in the Sanctuary, the last thing I want is for it to be destroyed so wantonly.

While it may be true that the Sanctuary is not used very much for religious purposes, it is used regularly for recitals by School of Music students. These students choose to use this hall for a variety of reasons, but the main one always comes back to the acoustics, especially for string players like myself.

In conclusion, the loss of half of St. Francis House and its grounds would make the eastern end of the campus a much drearier and unfriendly place than it already is. Please don't let that happen to our beautiful city.

Sincerely,

Lynn Washington
Member, Luther Memorial Church
UW - Madison student

"The challenge in playing string quartets is that it is like a marriage with three other people with whom you may have nothing else in common. The reward is the pure joy found in the music."

Firchow, Kevin

From: Murphy, Brad
Sent: Friday, July 08, 2011 11:09 AM
To: Firchow, Kevin
Subject: FW: No to Development at 1001 Univ. Ave.

Brad Murphy
Planning Division Director
Dept. of Planning & Community & Economic Development
P.O. Box 2985
215 Martin Luther King Jr. Blvd
Madison, WI 53701
608 266 4635

From: L. Southwick [mailto:lmsouthwick@cox.net]
Sent: Thursday, July 07, 2011 8:23 PM
To: Murphy, Brad
Subject: No to Development at 1001 Univ. Ave.

Dear Mr. Murphy,

Luther Memorial Church is one of the few healthy congregations left in downtown Madison. The high-rise student apartment building planned to be erected at 1001 University will greatly jeopardize the continued health and existence of Luther Memorial at 1021 University Ave., where it has been serving the spiritual needs of the city and university communities since 1923. I plead with the Urban Design and Plan Commission not to approve the building of this commercial enterprise on a site that will likely lead to the ultimate demise of Luther Memorial Church and also the other religious houses in the 1000 block of University Ave.: the Lutheran Campus Center and the Episcopal St. Francis House. Surely what these centers represent is too important to be overwhelmed by more tax-generating development in our city.

Very sincerely yours,
Lloyd Southwick
5015 Sheboygan Ave., #306
Madison

July 7, 2011

City of Madison Plan Commission

Plan Commission meeting, July 11, 2011

RE: 1001 University Avenue, St. Francis Episcopal Student Center Development
Letter of Opposition

We are writing in opposition to the proposed construction of a multi-story residential building, designed primarily for college students. Our opposition is based on detrimental effects the proposed project will have on Luther Memorial Church as a place of quiet sanctuary in the midst of a bustling city and campus. Let us make clear: we are not opposed to student housing per se, but simply the very close proximity in this particular case to an architectural gem, and more importantly, a critical refuge from the "busyness" of 21st century life in America.

Recognizing that some types of differing land uses are not mutually compatible, there are numerous laws and zoning ordinances that prohibit certain types of adjacencies. Due to statistically proven detrimental effects, for example, a liquor store cannot be within a specifically defined radius of an elementary school. We, the citizens of Luther Memorial Church, have learned through bitter firsthand experience that high-rise student housing is likewise not compatible with an institution of quiet repose and religious observance.

Consider the evidence:

- LITTER: Vodka and beer bottles that routinely accumulate on flat-roof portions of our building
- NOISE: Funerals, weddings, and other church activities interrupted with profanity-laced shouts from unhappy Badger fans watching the big game
- TRAFFIC: Traffic congestion, primarily mopeds, that makes access difficult for staff, congregants, and our pre-school integrated with our church mission; difficult for parents, and dangerous for children - our quiet alley is, well, no longer quiet
- FRUSTRATION: Why put up with litter, noise and traffic, when there are many other churches far removed from downtown Madison?

The future? Consider the possibility of this *Wisconsin State Journal* headline:

LANDMARK CHURCH SHUTTERED: LITTLE CHANCE TO OPEN AGAIN

Citing a dramatic downturn in church membership, beginning with the construction of not one, but two high-rise residential buildings in close proximity, the council president of Luther Memorial Church announced today that their doors will be closed, effective after the upcoming Christmas Eve services. "While we have fiercely loyal long-time parishioners, our efforts to recruit new members are greatly hampered by the many difficulties faced in simply attending church in downtown Madison..."

Please....help us protect the viability of our sacred ground for the benefit of future generations.

Sue and Jeff Gaard
members (since 1998) of Luther Memorial Church
1722 Summit Avenue
Madison, WI 53726

Firchow, Kevin

From: Murphy, Brad
Sent: Friday, July 08, 2011 11:52 AM
To: Firchow, Kevin
Subject: FW: Legislative File ID: 22443, 1001 Univ. Ave.

Brad Murphy
Planning Division Director
Dept. of Planning & Community & Economic Development
P.O. Box 2985
215 Martin Luther King Jr. Blvd
Madison, WI 53701
608 266 4635

From: Suelyn Swiggum [mailto:swiggum@luthermem.org]
Sent: Friday, July 08, 2011 10:31 AM
To: Murphy, Brad; King, Steve; Rummel, Marsha; Schmidt, Chris; erics@cows.org; jolson@operationfreshstart.org; michael.heifetz@deancare.com; avandrzejews@wisc.edu
Cc: Franklin Wilson; Brad Pohlman; Robin Wagner
Subject: Legislative File ID: 22443, 1001 Univ. Ave.

Dear members of Madison's Plan Commission:

We like students. We want them to become involved in the life of Luther Memorial. We don't oppose them living near by; we oppose a large apartment high-rise built adjacent to our church. Why? Because the proposed development puts our ability to serve the university community at risk.

Our experience with Grand Central, located directly behind us, has given us a good idea of the increased noise, wear-and-tear on our building, and congestion we can expect if such a development is allowed to be built. What is somewhat problematic now will become dangerous when doubled.

Please understand, it's not about being good neighbors. It's about the math. The consequences of Grand Central times two – twice the volume of traffic using Conklin Place (alley), twice the pedestrians, and twice the noise on Saturdays.

I have experienced repeated near-miss collisions while walking between Grand Central and Luther Memorial; and also close-calls when exiting from Luther Memorial's underground garage onto Conklin place. Each time the near-miss has involved a student either on a moped, or in a car, going too fast and sometimes the wrong-way down a one-way road. The student was traveling too fast to stop if a child from the preschool happened to run out into the road; too fast to stop if an older church member did not check for oncoming traffic coming from the wrong way; and too fast to stop if a workman exited from the church building suddenly. I have worked and volunteered at Luther Memorial since 1996. I can assure you that these traffic problems have intensified along Conklin since Grand Central was built.

Luther Memorial serves the surrounding university: students, teachers, staff, and visitors. We provide support to students away from home who seek an intergenerational community, who look for enrichment beyond their coursework, or just

want a place to pray during the day. The church also serves homeless people in transition and gives tuition scholarships to families who could not otherwise afford to provide their children with a quality preschool education; for over 10 years, no child has been turned down for enrollment assistance. Luther Memorial makes these things possible by maintaining a core membership who contributes financially to the church's ministry. We do not have a plentiful storehouse. We are frugal and we stretch our budget. Sometimes we must borrow.

Luther Memorial relies on its members to serve the surrounding community. If church members find it prohibitive and too problematic to navigate the alley, too difficult to attend weekday or Sunday worship, too frustrating to attend concerts, too discouraging to volunteer – or if they just feel unsafe – they will eventually go elsewhere. Without its core membership, Luther Memorial will no longer be able to serve the university population for which it was founded.

Since the time Luther Memorial was incorporated over 100 years ago, part of its mission has been to touch the lives of students in ways that enrich their experience in Madison. We've been successful. Some of our students have even returned later after they have graduated, to work in town, to join the congregation, to get married, to raise their families, to attend concerts, or just to visit. Many now contribute financially to make it possible for other students to have a similar experience.

As long as the university is here, we will continue to serve the people who walk by our church doors everyday. We can only do that, however, if our church members, who come from all parts of Dane County, and as far away as Cross Plains and Lake Mills, have safe access to and from our building.

Consider the math. Consider the mission. Please oppose the new high-rise on the St. Francis lot.

Thank you.

--

Suelyn Swiggum
Mission Resource Coordinator

Luther Memorial Church
1021 University Ave
Madison, WI 53715
608-258-3160 x15
swiggum@luthermem.org

July 7, 2011

RE: Proposed Demolition and Rezoning of 1001 University Avenue, Legistar I.D. #22443

Dear Members of the City of Madison Plan Commission:

I am writing because I will not be able to attend the July 11th Plan Commission Meeting and I am concerned about the potential legal liability facing the City of Madison if the City approves the proposed development for the St. Francis site.

Wisconsin law requires that beginning on January 1, 2010, rezonings, such as the proposed PUD, must be consistent with the City's comprehensive plan. Wis. Stat. § 66.1001(3). According to Wisconsin law, "consistent with" means "furthers or does not contradict the **objectives, goals, and policies** contained in the comprehensive plan." Wis. Stat. § 66.1001(a)(3)(am) (emphasis added). It is important to emphasize that this definition **does not** include the word "maps."

In the Madison Comprehensive Plan, the St. Francis site is located within the "Campus Special District" that also includes the UW-Madison campus. The Plan Commission cannot simply make the determination that the proposed development is consistent with the Comprehensive Plan by noting that the future land use map shows the proposed development occurs in an area designated in the Comprehensive Plan as "Campus" and that "student housing" is identified as one of a very broad list of uses that is allowed in the "Campus" district. Rather, the Plan Commission must determine that the proposed development does not contradict the objectives, goals, and policies of the comprehensive plan. In other words, state law recognizes that the plan is more than just a map and that the stated objectives, goals, and policies in the plan must be given more weight than the map. The Plan Commission needs to look at the objectives, goals, and policies contained throughout the Comprehensive Plan.

It is also important to understand that the law in effect at the time the Grand Central project was approved, did not require that the rezoning for that project be consistent with the City's Comprehensive Plan. The fact that Grand Central is also inconsistent with the Comprehensive Plan does not set any precedent for the current proposal. Wisconsin Courts have recognized the distinction between rezoning approved prior to January 1, 2010, and the new consistency requirement for rezonings approved after January 1, 2010. *Step Now Citizens Group v. Town of Utica Planning Committee*, 2003 WI App 109, 264 Wis. 2d 662, 663 N.W.2d 833.

Following the "furthers or does not contradict" standard of Wisconsin law, the Plan Commission needs to answer the following questions based on the objectives, goals, and policies stated in the Madison Comprehensive Plan, a document approved by the Plan Commission and Common Council. These questions are based on some of the objectives, goals, and policies from the Madison Comprehensive Plan listed in the handout that I provided at the last plan commission meeting:

1.) The proposed location is not identified in the comprehensive plan or any other plan as a potential infill and urban redevelopment location. ***Does the proposed development further or not contradict the policies contained in the Madison Comprehensive Plan that: potential infill and urban redevelopment locations are identified in the Comprehensive Plan, neighborhood plans for established neighborhoods and through special planning studies of specific areas?***

For the three Campus Districts (UW, MATC, and Edgewood), the Madison Comprehensive Plan recognizes a very broad range of recommended uses:

- Educational facilities.
- Research and employment centers.
- Cultural and performance facilities.
- Student, faculty and employee housing.
- Student-oriented retail, service, dining and entertainment.
- Other institutional uses.

This laundry list of uses includes the numerous uses currently found within the UW Campus District. The Madison Comprehensive Plan explicitly highlights the University of Wisconsin Campus Special District as an area that needs more detailed planning in order to develop “the fine-grained recommendations needed to shape and guide future development in this very important area.” The Comprehensive Plan acknowledges that the list of uses, by itself, is not enough of a guide and that more detailed planning is needed because it is such an important area to the City.

The Madison Comprehensive Plan acknowledges that the University of Wisconsin-Madison Campus Master Plan provides detailed land use and development recommendations for the UW Campus area. That detailed plan shows the footprint of the present St. Francis House and does not identify any changes for the site.

2.) Luther Memorial has not been involved with the planning for the development on the St. Francis House site. ***Does the proposed development further or not contradict the policy contained in the Madison Comprehensive Plan that: changes in established neighborhoods should be carefully planned in collaboration with neighborhood residents, businesses, owners, and institutions?***

One aspect that is significant in the proposed development is the change in use from religious uses to residential. This is not a case where the developer is proposing taking run-down apartment building and building a new apartment building. According to the Madison Comprehensive Plan, “[I]n areas where the Comprehensive Plan’s recommendations differ from existing conditions, future changes in land uses, if any, will be carefully planned and guided by the detailed recommendations of an adopted neighborhood plan or special area plan.” So if the student housing proposal can be interpreted to be consistent with the Madison Comprehensive Plan, it is clear from the express language of the City’s Comprehensive Plan that there is a need for a more detailed plan and impacted stakeholders need to be involved in the process to prepare that plan.

3.) Because of increased noise, congestion, etc., the proposed development will have a negative impact on the long-term viability of the congregation to attract members and cover the costs to maintain the facility. ***Does the proposed development further or not contradict the objective contained in the Madison Comprehensive Plan that the city will retain and enhance public and community based institutions and facilities, such as churches, as important neighborhood centers and providers of employment, services and amenities?***

4.) Because of increased noise, congestion, etc., the proposed development will have a negative impact on the long-term viability of the congregation to attract members and cover the costs to maintain the

facility. ***Does the proposed development further or not contradict the goal contained in the Madison Comprehensive Plan to maintain and enhance downtown Madison as the predominant activity center and community gathering place for the City of Madison and the surrounding region, and a diverse, attractive, and unique place to live, work, learn, shop, dine and enjoy entertainment and cultural activities?***

The City's goals and objectives referenced in questions number 3 and 4 are important. The facilities of Madison's faith communities are important for the services they provide to residents of the City and as important cultural centers. The work of the on the Madison Cultural Plan recognizes the important role that faith community facilities have in supporting the arts and culture in the City of Madison. In a 2010 survey of nonprofit arts organizations, the respondents identified that over the past 3 years, "faith community facilities" were the third most frequently used facility by these groups ahead of the Overture Center, the many UW Facilities, the Bartell Theatre, etc.

5.) The proposed development is planned for student housing. ***Does the proposed development further or not contradict the policy contained in the Madison Comprehensive Plan that the city will encourage development of housing that can meet the needs of many types of households and limit the development of housing that is suitable for only one type of resident? (p. 2-71.)***

Thank you for your consideration of this matter.

Brian W. Ohm

City of Madison Comprehensive Plan (2006)

A partial compilation of goals, policies and objectives that do not support the St. Francis redevelopment project

Page

[Summary of Land Use Issues]

2-9 ***DOWNTOWN/CAMPUS AREA PLANNING***

Downtown Madison and the adjacent University of Wisconsin-Madison campus are very unique parts of the community and have experienced dramatic growth and change in the last decade. The following choices, decisions and factors will need to be considered regarding this issue:

... Should housing suitable only for students or other groups of non-family singles be the only type of housing provided in near campus areas?

[The Need for More Detailed Specific Area Plans]

2-22 ***Objectives and Policies for Infill Development and Redevelopment***

Objective 22: Seek to reduce the demand for vacant development land on the periphery of the City by encouraging urban infill, redevelopment, and higher development densities at locations recommended in City plans as appropriate locations for more intense development.

Policy 1: *Identify potential infill and urban redevelopment locations in the Comprehensive Plan, neighborhood plans for established neighborhoods and through special planning studies of specific areas....*

Policy 3: Place a high-priority on reuse or more intensive use of sites within the City *where adopted City plans recommend reuse, redevelopment and/or infill development.* (p. 2-22.)

2-31 ***Objectives and Policies for Established Neighborhoods***

Objective 34: Guide the processes of preservation, rehabilitation and redevelopment in established City neighborhoods through adoption and implementation of neighborhood plans, special area plans and major project plans consistent with the Comprehensive Plan.

Policy 3: Changes in established neighborhoods should be carefully planned in collaboration with neighborhood residents, businesses, owners and institutions.

2-73 The Generalized Future Land Use Plan Maps illustrate a conceptual recommended land use pattern for the City of Madison and its future growth areas as a whole, but the maps are usually not sufficiently detailed to address the many nuances and specialized planning objectives of specific locations. For this, reason, *the Comprehensive Plan recommends that future changes in land use should be guided by the more-detailed recommendations of an adopted neighborhood plan, neighborhood development plan, or special area plan.*

2-75 No significant changes to the character of existing neighborhoods will be initiated by the Comprehensive Plan. In areas where the Comprehensive Plan's recommendations differ from the existing conditions, *future changes in land uses, if any, will be carefully planned and guided by the detailed recommendations of an adopted neighborhood plan or special area plan.* The City

COMMENTS PROVIDED

BY. PROF. CHM @ 6/20 MTG.

will continue to work with neighborhoods as neighborhood plans and special area plans are prepared or revised and ensure that neighborhood residents have opportunities to participate.

2-102 **SPECIAL DISTRICTS**

Five different land use classifications are grouped together as Special Districts for convenience in presentation. The Special Institutional district identifies small areas recommended for certain institutional land uses that do not fit the definitions of the other land use districts, but are useful to identify and map as a distinct use. The Airport, Campus and Downtown districts are large areas characterized by unique uses, an intensity of development, or other attributes which make them different enough from other parts of the community that separate land use classifications are needed to define them. *In the case of the University of Wisconsin Campus area, the mapped recommendations included in the Comprehensive Plan are only preliminary, and more-detailed planning is specifically recommended to develop the fine-grained recommendations needed to shape and guide future development in this very important area.* The Neighborhood Planning Areas are potential future urban growth locations at the urban edge where the detailed planning needed to map specific recommended land uses has not yet occurred. More detailed planning is recommended before urban development begins in these areas.

2-103 **Campus (C)**

This designation is applied only to the campuses of the University of Wisconsin-Madison, Edgewood College, and the Madison Area Technical College. These are defined areas that comprise more than a single urban block and represent specialized sub-areas within the community which may include a wide diversity of uses associated with the primary education mission.

University and College Master Plans

Campus master plans should include the proposed location and mix of land uses; recommended development density and intensity; and building size, height and design parameters. The campus plans should identify locations for future infill opportunities and address recommended land uses in transitional areas at the edges of the campus area, both within and outside the defined campus. The City will continue to work with the University and the Colleges as these educational facilities develop and implement their campus master plans, with a particular goal of creating attractive and engaging interfaces between the campus and adjacent land uses.

2-104 **Location and Design Characteristics**

The University and the Colleges are important activity centers and significant traffic generators. Campus planning should include an emphasis on developing and enhancing multi-modal transportation service to and within the campuses. Vehicle access and the location and amount of parking should be designed to minimize congestion and potential negative impacts both within the campus and in the surrounding neighborhoods. Frequent transit service to and/or within the campus should be provided. Streets, walkways, and multi-use paths and trails should provide strong pedestrian and bicycle linkages throughout the Campus areas, and be interconnected with similar facilities beyond the campuses.

Campus development should be compatible with surrounding uses and their design characteristics, and mitigate potential negative impacts on adjacent areas. Campus areas should not expand into adjacent neighborhoods unless such expansions are also consistent with a City-adopted neighborhood or special area plan. Both the City and Campus plans should specifically address the goal of creating a productive and engaging relationship between

University and College related activities and other compatible activities within the campus transition area.

Recommended Land Uses

- Educational facilities.
- Research and employment centers.
- Cultural and performance facilities.
- Student, faculty and employee housing.
- Student-oriented retail, service, dining and entertainment.
- Other institutional uses.

Outside of the University of Wisconsin-Madison core campus area generally located west of Park Street and north of University Avenue, interlacing of University-related facilities with appropriate types of compatible non-University uses is specifically recommended.

- 2-158 **Note 8:** *The University of Wisconsin-Madison Campus Master Plan provides detailed land use and development recommendations for the UW Campus area.* As part of preparing the detailed City plan for the Downtown-Campus area recommended in the Comprehensive Plan, the City will review the Master Plan, particularly the interface between University and other land uses in, and adjacent to, the part of the defined campus located south of University Avenue and east of Park Street, and may make additional recommendations for enhancing the physical relationships and social synergies between the campus and surrounding districts and neighborhoods.

[Historic Resources]

- 2-34 **Objective 40:** Protect Madison's historic structures, districts and neighborhoods and encourage the preservation, rehabilitation, maintenance and adaptive reuse of high-quality older buildings.
- 2-66 *Objectives and Policies for General Urban Design in the Downtown*
Objective 82: Create a high-quality physical and design environment downtown that is inspiring, creative, diverse and complementary of historic and natural resources.
- 2-67 **Policy 3:** Preserve and protect historically and architecturally significant older buildings in the downtown area.
- 8-5 **Objective 5:** Continue to identify methods to encourage better stewardship of older downtown buildings.

Policy 2: Continue to assist downtown neighborhoods with historic building maintenance and encourage historically compatible alterations.

[Cultural Resources]

- 2-33 **Objective 38:** *Retain and enhance public and community based institutions and facilities, such as schools, churches, libraries and parks, as important neighborhood centers and providers of employment, services and amenities.*

2-63 DOWNTOWN/CAMPUS AREA PLANNING

Goal: Maintain and enhance downtown Madison as the predominant activity center and community gathering place for the City of Madison and the surrounding region, and a diverse, attractive, and unique place to live, work, learn, shop, dine and enjoy entertainment and cultural activities.

Objectives and Policies for General Land Use in the Downtown/Campus Area

Objective 75: Promote land use diversification and increases in development densities at selected locations in Madison's downtown area.

Policy 1: Promote and preserve the downtown's unique social and cultural character by:

- Enhancing daytime and nighttime activities;
- Providing and maintaining public spaces for community entertainment, exhibits and public gatherings;
- Supporting and enhancing the vitality of the arts and entertainment for diverse ethnic, age, and social groups in the downtown;
- Involving a diversity of people in decision-making and planning for downtown arts, cultural and entertainment activities.

2-64 Objective 78: Concentrate most major civic, institutional, cultural, and entertainment uses in the downtown/campus area.

2-67 Policy 4: Outside the "core" University of Wisconsin-Madison campus area defined by University Avenue and Park Street, encourage interlacing of university and non-university uses and structures so that many of the noneducational needs of university students, faculty and staff, and visitors can be provided at locations convenient to the campus, and community access to university resources and activities is encouraged.