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February 1, 2013

Members of the Common Council  
City-County Building  
210 Martin Luther King, Jr. Blvd, Room 417  
Madison, WI 53703

Members of the City of Madison Plan Commission  
c/o City of Madison Department of Planning, Community, and Economic Development  
Room G100  
215 Martin Luther King Jr. Blvd.  
Madison, WI 53709

Re: Waterfront Apartments  
621 N. Henry Street

Dear Friends:

We are excited to submit the attached packet of information outlining the modifications and amendments to the Waterfront Apartments Redevelopment Submittal. These amendments have been crafted in response to feedback from Staff, Commissions, and Neighbors and have resulted in significant advancements to the overall character; a reflection of the approval process in action. The revised plans and documents outline a great new addition to the Langdon Neighborhood that will create new housing opportunities and much needed re-investment for this key student housing area. This project has been designed to integrate with the surrounding neighborhood context and character while offering energy efficient, environmentally friendly modern housing and addressing safety & accessibility issues within the neighborhood. The changes will not alter the Redevelopment's compatibility with the National Historic District designation and add to the safety and vitality of the neighborhood.

*Common Council  
Agenda Item #2*

# MICHAEL BEST

& FRIEDRICH LLP

February 1, 2013

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We look forward to working with the Plan Commission and Common Council next week towards implementing this project and will be contacting you to answer any questions that you may have in regards to the submittal.

Sincerely,

**MICHAEL BEST & FRIEDRICH LLP**

A handwritten signature in black ink, appearing to read "Bill White", written over the printed name of the sender.

William F. White

Enclosure

cc: Mayor Paul R. Soglin  
William Fruhling, Acting Director, Department of Planning and Development  
Timothy Parks, Senior Planner  
Al Martin  
Amy Scanlon, Preservation Planner  
Palisades Apartment LLC  
Alder Bridget Maniaci  
Alder Scott Resnick

## Waterfront Apartments Proposal

### **Modifications and Alterations**

#### The proposed new building has been significantly reduced in size:

- The height of the new building has been reduced from 8 stories to 6 stories.
- The total number of bedrooms in the new building has been reduced from 258 to 231.
- The total number of apartments has been reduced from 79 to 71.

#### The architecture has been revised to better integrate into the neighborhood:

- The footprint of the new building has greater articulation and deeper setbacks to define the massing into four readily discernable building components that read as separate buildings.
- The building component footprints are sized and spaced in a manner that is consistent with the neighborhood fabric.
- The heights, fenestration and architectural detailing of each of the components have been varied to strengthen the perception of these components as separate buildings.
- The “bonus height” above five stories has been pushed further into the interior of the site and away from Henry Street.
- The step-back to the upper level has been increased to over 40 feet from the four and five story facades.
- The sixth floor is now over 65 feet from the sidewalk on Henry Street.
- The principal exterior material is brick masonry that will be selected to be compatible in color, range and texture with the surrounding buildings.

#### The site plan has been revised to improve the public streetscapes:

- A large entry courtyard that opens to Henry Street has been added; creating a very attractive semi-public space adjacent to Henry Street.
- Independent apartment entry porches have been added to the Iota Court façade that activate and provide rhythm to the streetscape.
- The vehicular entrance to the underground parking has been removed from the Henry Street façade and relocated to a point past the end of Iota Court.
- This new parking entry is opposite the applicant’s existing building at 140 Iota Court, thereby minimizing impacts to adjacent neighbors.

#### The traffic impacts have been reduced:

- The underground parking has been reduced from 66 cars to 55 cars.
- Bicycle and moped parking is maintained at levels that are in excess of code requirements with the majority of that parking secured in the garage.

#### The Design Standards for PUD’s in Downtown Design Zones have been addressed:

- The exterior building design now clearly meets the specific design standards
- The addition of a generous interior common spaces including a main lobby, a media room, study lounge and roof terraces now meet the interior design standards

# Memorandum

**To:** Plan Commission members  
**CC:** Madison Common Council, Steve Cover, Bill Fruhling, Tim Parks  
**From:** Carole Schaeffer  
**Date:** 2/1/2013  
**Re:** Waterfront Apartment Proposal Downtown Plan Compliance

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## Waterfront Apartment Proposal

The Developers of the Waterfront Apartments proposal took the criteria of the Downtown Plan very seriously when preparing this submission. The Downtown Plan includes both broad policy objectives, and very specific recommendations, and where the broad differed from the specific as it related to our particular site, we honored the more specific.

The following includes the sections we felt were relevant to this project, and how we addressed them. Whereas the project is coming in as a PUD, we have incorporated the Plan into our proposal. The following uses the draft Plan, staff memos to Plan Commission, and meeting minutes, as the completed plan has not been published and distributed yet.

## Key 2: Strengthen the Region's Economic Engine:

### Employment Recommendations (Page 24)

#### Objective 2.1 (Page 24)

**New Objective:** Enhance economic value of the Downtown by encouraging high value projects that add employment and enhance property values. [EDC] ☐

This project enhances property values, and adds high value to the area. It also provides jobs during the construction phase and for all the businesses that provide materials and services to the buildings and permanent full-time long-term jobs for property managers, maintenance personnel and local property service companies.

**New Recommendation:** Encourage that economic factors are to be considered in each land use decision in terms of employment and tax value. [EDC] Deleted "that" and replace "are" with "to be" [PC 11.JUN.12]

If left as is, the city stands to lose \$35 million in property tax value for this project. At no point in the debate has the economic impact been seriously incorporated into discussion, nor given comparable significance as a recommendation in the Plan.

### **Room to Grow Recommendations (Page 27)**

**Objective 2.3 (page 27): Encourage higher density infill and redevelopment that is context sensitive innovative and sustainable, and complements and connects to enhances the areas in which it is proposed. [EDC]**

This project increases density in an identified as appropriate for greater density area, increases sustainability, and significantly enhances connectivity via the mid-block pedestrian walkway, the improvement of “Langdon Lane” and turning what were dangerous narrow passages, into pedestrian friendly, safer areas, improving the area in which is it proposed. Project will include safety cameras and improved lighting.

### **Recommendation 16: Direct Development to locations recommended in this Plan for buildings of that height and scale.**

The applicants brought this project forward because the Downtown Plan specifically carves out this site recognizing that additional density was appropriate for this site. The scale of the buildings for this site was not directly addressed, however, the Plan indicates on several occasions that new developments be in character with the district massing and scale. Height was directly addressed in both the Plan and the new zoning code, and we are below the allowable height. Additionally, the Langdon District includes a broad mix of varying mass, height, and scale of buildings in the district. We do not feel this building would be out of character for an urban residential neighborhood with a variety of housing types and options.

### **Retail Recommendations (Page 31)**

**Recommendation (Page 31): Position downtown as a quality urban and retail environment by expanding, and maintaining a standard of excellence for downtown safety, cleaning, maintenance, snow removal, and landscaping. [BID]**

Note: This comment was originally made in Key 3.

This project improves safety with modern safety cameras, lighting and more. It adds landscaping, makes snow removal and fire and police access practical and achievable to the levels of service expected in Madison, positioning downtown as a quality urban environment. This project also removes surface parking that currently runs off untreated into Lake Mendota.

## **KEY 3: Ensure a Quality Urban Environment**

### **Mix of Land Uses Recommendations (Page 38):**

**Objective 3.2: Provide a dynamic and flexible mix of land uses and densities that provides and enables ample opportunities for jobs, housing, retail, entertainment, and recreation in a compact urban environment. [DCC]**

This is a compact urban environment, we are adding to the called-for mix of densities that provides additional housing opportunities. The Langdon District currently includes a mix of density and housing. This project provides additional housing opportunities for students and young people drawn to the vibrancy of an urban lifestyle, in a beautiful location near the lake.

### **Mix of Land Use Narrative (Page 38):**

**Downtowns are characterized by concentrations of economic, cultural, and social activity and high levels of engagement and interaction. People are attracted to Downtown Madison because it**

offers a dynamic environment for living, working or visiting---with a rich and diverse array of activities and opportunities found nowhere else in the region. Increasing the number of people living and working downtown will contribute to this dynamic environment and support the further growth of downtown shopping, entertainment and recreational opportunities.

This Downtown Plan seeks to encourage and facilitate continued downtown employment and population growth, and its land use recommendations provide for the increases in development density needed to accommodate it. But increased density is not an end in itself. People are also attracted to downtown by its physical attractiveness---the beauty of its setting, the quality of its buildings and public amenities, and the distinctive characteristics of its individual neighborhoods and districts. This Plan provides recommendations which support substantial increases in downtown development and density, but also seek to ensure that downtown and its many neighborhoods continue to be attractive and engaging places.

Downtown Madison is at a low vacancy rate for downtown multifamily apartments. There is a need for this type of housing, it fits the increased density based on need, not for the sake of density itself and is a location that is specifically identified as being appropriate for potential denser development. Also, the quality of the new product is vastly superior in amenities and offerings, both in built environment and project features. It is not density for density's sake. This project improves public safety by improving the built environment, a position strongly supported by the police. This project offers modern amenities the current structures cannot provide.

### **Building Scale Recommendations: (Page 42)**

**Maximum Building Height** Also for the purposes of this plan, height is measured from the highest point along a building setback line paralleling any street adjacent to the site, so on the downhill side building facades could be taller than shown on the low portions of the Maximum Building Heights Map.

This is important to note; we are actually now under the allowable height for the carved out areas designated as appropriate for greater density in the Langdon District in the Downtown Plan Appendix C.

**Objective 3.4:** Continue a comprehensive “complete streets’ streetscape design approach for Downtown streets to reflect their place in the community and ensure that they are beautiful, interesting, engaging, functional, safe, and comfortable public spaces. [EDC]

The current “Langdon lane” situation is a mess. There is no sense of street for either pedestrians, bikes, or any other functional mode of transportation, not to mention the police and fire access. The current built environment has a myriad of public safety concerns, and this project addresses many of them with the addition of lights, cameras, and the elimination of unsafe dark alleyways.

**Streetscape Design Narrative (Pages 43-44):** People are attracted to great downtowns, and a major part of their experience has to do with the “people places” that a downtown offers. Many of these destinations are discussed in other sections of this plan. However, creating an attractive, safe, and engaging downtown pedestrian realm-- the streets, sidewalks, pathways, and other corridors that connect these destinations and encourage people to walk is just as important. A streetscape consists of street paving and marking, terrace design, trees and landscaping, sidewalks, street furniture, and lighting that combine to form an overall aesthetic and identity for a place. Downtown streets differ significantly in the number of traffic lanes, speed limit, street width, and transit usage, level of pedestrian activity, bicycle usage, sidewalk characteristics, terrace widths, and tree canopies. Other ways to help activate the street could include semi-public spaces, active ground-floor uses, wider sidewalks, micro-parks, outdoor cafes,

vending spaces, etc. Consider more ways to activate the street such as, sidewalk width, parallel park and micro parks.

Again, this project furthers the goals of the streetscape design features by vastly improving the streetscape for the end users. The developer also has indicated that they would work with the City to incorporate a Langdon midblock pedestrian walkway that encourages safe and attractive pedestrian activity.

## **Key 4: Maintain Strong Neighborhoods and Districts**

### **Langdon**

**Langdon Recommendations (page 56)**

**Objective 4.8: The Langdon neighborhood should build on its history as a traditional student neighborhood, including a concentration of fraternities and sororities. It should continue to accommodate a limited amount of higher-density residential redevelopment on selected sites while maintaining the area's historic and architectural integrity. Preserving and enhancing Langdon Street as the spine of the district will be the key. The pedestrian walkway between the lake and Langdon Street should be formalized to enhance its aesthetics and safety and to make a stronger connection to the lake front path.**

The proposed redevelopment is not on Langdon Street proper, so if the key to preserving and enhancing the district is preserving Langdon, this project does not disrupt or endanger that emphasis or character of the street. Additionally, this project will further the pedestrian walkway, and will enhance the aesthetics and safety between Langdon and the lake and include improved lighting and safety cameras.

### **Recommendation 77: Encourage preservation and rehabilitation of contributing historic buildings.**

Whereas the preservation and rehabilitation of contributing is encouraged, not required, this project includes the proposed preservation and rehabilitation of 140 Iota Court and 150 Langdon Street, a contributing building in the NRHD. It also does not require this be done for all contributing buildings. It does not jeopardize the NRHD designation. It is important to note, that no rights are lost by listing properties on the National Register because it puts no restrictions on alterations and does not require preservation of historical character, although this project does improve housing options and safety consideration for students, who are the heart of the neighborhood character. The chief purpose and benefit of a NRHD is to allow property owners to get tax credits of 20 to 25 percent on the cost of work that preserves the exterior condition of properties on a national or state register of historic places.

### **Recommendation 78: Encourage relatively higher-density infill and redevelopment that is compatible with the historic context in scale and design on non-landmark locations and sites that are not identified as contributing to the National Register Historic District.**

This recommendation should be looked at with an eye also to the recommendations and criteria of Appendix C: Maximum Building Heights – Additional Story Criteria. Recommendation 78 states that higher density infill should not be on sites identified as contributing to the NRHD in the Langdon Neighborhood, however Appendix C specifically identifies two carve outs in the Langdon District are identified as being suitable for consideration for 2 additional stories above the base height of five stories, both areas containing mostly contributing buildings, because these “two small areas” are portions of large, deep blocks that slope downward towards the Lake Mendota. The NRHD is referenced and expected to be considered and the impact analyzed. This project includes the proposed rehabilitation and preservation of a contributing building as part of the project. The Additional Height Area F will have 10 remaining contributing buildings and Area D contains an additional 4 contributing buildings, so the majority of the contributing buildings in the Langdon

carve-outs will remain intact, and this proposed project leads the way for rehabilitating and preserving 140 Iota Court and 150 Langdon Street.

## **Key 5: Enhance Livability**

### **Safe Living Environment (Page 68)**

**Natural Access Control** - Natural access control relies on physical elements to keep unauthorized persons out of a particular place if they do not have a legitimate reason for being there. On private property, properly located entrances, exits, fencing, landscaping and lighting can subtly direct both foot and vehicular traffic in ways that decrease criminal opportunities. In the public realm, non-physical or "psychological" barriers can be used to achieve similar objectives. For example, these barriers may appear in the form of signs, paving textures, nature strips, art, or anything that announces the integrity and uniqueness of an area.

The current built environment on the site offers challenges to public safety. This project enhances livability with lighting, properly located entrances, an improved walkway, and the elimination of dark, narrow passageways.

## **Key 6: Increase Transportation Choices**

### **Parking**

#### **Parking Recommendation (page 81)**

**New Recommendation:** Encourage car sharing stalls in major residential and commercial development. [PC]

This development will include Community Car, a Madison-based car sharing company that provides cars by the house to individuals and organizations.

## **Key 7: Build on Historic Resources**

**Rec 168** Prepare an inventory of historic properties in the Langdon Neighborhood and consider creating a local historic district that is generally coterminous with the Langdon Street National Register Historic District.

**Note:** The PC recommended adding text to clarify that historic districts would have to go through the normal nomination process as required by ordinance.

This recommendation has been referenced by critics of the project as a reason to deny the approval. However, there is no way to know determine if a future study would actually find a local historic district is an appropriate recommendation or if property owners were interested in seeking the designation. Even if that occurs, what the criteria or specificity of the local historic district requirements would be, remain unknown, or whether the Common Council would approve the proposal. Unlike some of the more tangible and immediate recommendations in the Plan, this is a long term project and it possible that the consideration of a local historic district will not result in the creation of a local historic district. That said the approval and completion of this project would not preclude the future creation of a local historic district.

## **Key 9: Become a Model of Sustainability**

### **Sustainability Recommendations (page 105):**

**Recommendation 197:** Showcase sustainability practices throughout Downtown, including in parks and private development through measures such as in minimizing robust stormwater runoff management techniques and developing wind turbines and solar power. Incorporate considering robust stormwater management goals because of the Downtown's close proximity to the lakes cons



ider pilot projects in the downtown in more areas than just parks. Note: originally this referred to Rec. 194- [SUSTAIN]

Again, this project will be a boon to sustainability through robust stormwater management, energy efficient units, green roof features, and the use of a community car by the neighborhood.

## **APPENDIX C: ADDITIONAL BUILDING HEIGHT**

The Maximum Building Heights Map establishes a pattern of permitted heights that is consistent with, and will help to implement, Downtown Plan objectives regarding compatibility of scale, preservation of key view corridors, and respect for the unique character of individual Downtown neighborhoods and districts. In most cases, the map sets a single maximum number of stories that can be applied consistently throughout that particular height district.

During the planning process, several areas were identified with special characteristics that make it reasonable to consider buildings slightly taller than the recommended base height under certain circumstances. These tend to be transition areas located between areas with different development character, recommended building height and scale; large blocks; or blocks with significant slopes. To recognize these situations, the Maximum Building Heights Map in this Downtown Plan defines eight areas where buildings may be allowed up to two additional, or bonus, stories through the conditional use process if they meet specific criteria.

The areas where bonus these additional stories are potentially available do not include areas within identified view corridors or existing local historic districts. Where bonus additional stories are available, it is not intended that they bonus be earned merely by complying with standards and criteria that would be required and expected in any case, such as underlying zoning regulations, good design, or sensitivity to an adjacent historic landmark. The intent is not simply to allow a taller building, and bonus additional stories should not be considered “by right” heights. Rather, bonus additional stories are to be used as a tool to encourage and reward buildings of truly exceptional design that respond to the specific context of their location and accomplish specific objectives defined for the area.

The bonus additional stories are intended to provide additional design flexibility to address the unique circumstances in these areas, and to create an incentive for projects that go beyond what is otherwise required to help achieve other objectives of this plan.

Below are some supplemental conditional use criteria related to mitigating the impact of additional building height to help ensure that these projects fit well into their surrounding context and advance the objectives and recommendations contained in this Downtown Plan. Also included are brief descriptions of why each of the identified areas may be considered appropriate for bonus additional stories under this provision.

The developers believe their architect has done an outstanding job, and created a project with higher quality materials, design features, and amenities that warrant a bonus story. The additional benefits of safety and greater sustainability should also be considered as features that creating additional density enables the applicant to provide via this project. It also makes it economically feasible to do a rehabilitation and preservation of a contributing building, as well as making significant improvements to the Cliff Dweller apartments, which further raises the bar for housing in the district. We also believe that by creating an outstanding housing option for students, we are in line with the character of the Langdon District, which is a predominantly student housing area.

### **Bonus Areas E and F (Langdon)**

These two small areas within the Langdon District are portions of large, deep blocks that slope downward towards Lake Mendota. Both areas are in a National Register Historic District and include identified contributing buildings, and any new development should enhance that

**character. The base height recommendation for both areas is 5 stories, but a few taller buildings might be appropriate in the middle of these blocks if set well back from the street.**

The City was aware of the contributing buildings on these two sites, and originally called for the inclusion of one or more them in a proposed redevelopment, along with several other very specific criteria. The Plan Commission, at a work group session in 2012, indicated that they'd like to see less specific language and criteria for these additional height areas, and this was the resulting language.

The Waterfront Apartment project includes the rehabilitation of one of the contributing buildings on this site. The character of the Langdon Street NRHD is described as follows in the plan (page 96): "The significance of this district lies in its high concentration of fine examples of high-style period revival architecture expressed in large collegiate rooming houses primarily constructed for the social Greek letter societies affiliated with the University of Wisconsin between 1900-1930." This project is meant to be a student housing project, in the heart of a student district, and in no way diminishes the character of Greek life on Langdon.



*Developing a new quality of life in the tradition of the Langdon area*

## **Project Information Sheet**

*January 31, 2013*

- Address: 621 N Henry St, Madison WI 53703
- Architect: Randy Bruce, Knothe Bruce
- Alder: Bridget Maniaci
- Developer/Owner: Palisade Apartments, LLC and its owners have owned and managed real estate in Madison since 1976. Ten years ago, the developer built Palisade Apartments. The developer purchased this property over the past 25 years for this intended use.
- Awards: November 2012: ASM named Palisade Apartments as the #2 landlord in the campus area.
- Project Summary: The Waterfront Apartments is a 71-unit (reduced from 84-unit), 231 bedroom (reduced from 258) infill re-development student housing project including 1-5 bedroom units (6 bedroom units removed) located in the Langdon Street area. This residential project is designed to blend the best of modern housing with the character and massing of the surrounding area.
- Construction Date: August 2013 through August 2014
- Amenities: The Waterfront will include underground parking for cars, a Community Car, bikes, and mopeds, laundry, a fitness facility, multiple rooftop sundecks, community rooms, onsite management office, package delivery, access to Lake Mendota, and much more.
- Site Enhancements: This project includes enhancements to the streetscapes along Henry Street, Iota Court and Langdon Lane, green space, benches and better security lighting in all locations, widened sidewalks. Exterior dumpsters will be eliminated.
- Safety & Security: The Waterfront project includes better security lighting in all locations, widened sidewalks, key fob building access, common area video surveillance inside and out and enhanced fire/police/emergency access resulting from connection of Iota Court and Langdon Lane. This project also eliminates the multiple "dark and dangerous alleyways" that currently exist.
- Environmental Benefits: This project includes the restoration / rehabilitation of 150 Langdon Street and CliffDweller Apartments, upgrades to Langdon Lane to include permeable pavement and filtration basins. It also removes surface parking lots; storm water runoff into Lake Mendota will be curtailed. There will be significant energy efficiency upgrades for all buildings and green roof systems. Project is partnering with Madison Environmental. Underground move-in/move-out will reduce street congestion.
- Context: This project is in conformance with the recent changes to Madison's Downtown Plan and Zoning Code. This site is located within Height Bonus Area E. The upgrades to Langdon Lane would connect it to Iota Court, providing **better access to the entire neighborhood for fire/police/emergency and related safety issues**. Currently, the streets do not connect and there is often no access between the two streets. This project restores the contributing Halle Steensland House (featured on the front of a walking tour brochure published by the City of Madison in 1986) and CliffDweller Apartments, a non-contributing building. It removes 3 contributing buildings without descriptions in the Historic District application.



**View down Henry Street, from Langdon St**



**View down Langdon Lane, CliffDwellers at end of Langdon Lane**



**Height Bonus Area E Boundary**

