

From: Margaret Watson [<mailto:mfwatson@stevebrownapts.com>]
Sent: Thursday, March 29, 2012 3:16 PM
To: Mayor; Murphy, Brad; Fruhling, William; scover@cityfomadison.com
Subject: Downtown Plan

Good Afternoon,

I have been managing property for Steve Brown Apartments for 20+ years and lived in Madison (in the past) for over 10 years. The team at Steve Brown Apartments is heavily invested in the Madison community and would like to be able to look forward to a Downtown Plan that is flexible and able to handle the changes that will inevitably occur in the future.

For example, Steve Brown Apartments has two large high rise buildings that are at the end of their useful life. One is on Langdon Street and is a 7story 396 bedroom dormitory. The second property is a 10 story, 140 bed property on Gilman Street. As the current downtown plan is proposed we have NO incentive to replace these properties with something more beautiful, that fits in the neighborhood because it would not meet the height and density required to make the project work. Instead, the first property is vacant and the second may be soon which is not good for the city or for us. Property owners and developers need flexibility.

The Downtown Plan should not be a blanket "one-size-fits-all," but rather allow a flexible, site specific approach when it concerns the critical trade-off issues such as height, density, quality of architecture and use, and longer-term aesthetic and economic benefits to the neighborhood and City. This means a PUD option(or PDD as it is now being called), and/or "grandfathering of existing high density sites" option, be contained in any proposed Downtown Plan.

We strongly support flexibility in the PDD language that allows for modification of all bulk standards, including height. We would also support including Conditional Use as a means when height is the only issue.

Unfortunately, there is no "crystal ball" to tell the future. Therefore, entities must plan for the unknown. The best way to do this is to set up a structure with built in flexibility. This flexibility will help city planners, developers and others in the community to decide what's best for the growing tax base and what's best for the city of Madison.

Thank you for your consideration.

Margaret Watson
Chief Operating Officer
Steve Brown Apartments
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From: White, William F (22246) [<mailto:WFWhite@michaelbest.com>]
Sent: Thursday, March 29, 2012 3:09 PM
To: Cover, Steven; Fruhling, William; Murphy, Brad; Soglin, Paul; King, Steve; Rummel, Marsha; Nan Fey; 'hiwayman@chorus.net'; Schmidt, Chris; Michael G. Heifetz (michael.heifetz@deancare.com); 'jfinnmore@madison.k12.wi.us'; 'tonyalhn@aol.com'; 'tonyalhn@aol.com'; 'bacantrell@charter.net'; 'avandrzejews@wisc.edu'
Cc: Carole Schaeffer (cschaeff@smartgrowthgreatermadison.com); Schmitz, Susan
Subject: Downtown Plan

Friends- I will be unable to attend the Plan Commission meeting tonight but wanted to express my support for the reports of the Urban Design Commission and the Economic Development Commission. Frankly, Downtown Madison has been a success because of the flexibility that the PUD has given to us. Architecture and siting goes a long long way toward attractive and desirable development. That flexibility, including height flexibility, is critical to energizing and invigorating our downtown.

When gas goes to \$6.00 a gallon (as it surely will and as it already has in Europe) before the expiration of the "new" plan, the world will be a very different place. I strongly suggest that we not tie our hands with artificial and unnecessary restrictions on development. Thanks for your service. Bill

From: John Bergh [<mailto:jbergh@sg-re.com>]
Sent: Thursday, March 29, 2012 11:25 AM
To: Fruhling, William
Cc: MCarbine@visitdowntownmadison.com
Subject: Input for plan commission meeting of 3/29

Dear bill,

I have just become aware of staff recommendations and am unable to attend TONIGHT'S MEETING. I must object to certain positions staff have taken.

as a commercial real estate broker I have 30 years of retail specific leasing experience. Most of this is national experience which probably gives me a better perspective as to what is successful elsewhere ...and what isn't. Over the last 5 years I have watched retail on State Street morph into something less than what it was and certainly less than what it should be. There is too much impulse food and not enough destination retail. There are small shops and no larger spaces for retailers that will make an impact. Would you not want another retailer with the draw of Urban Outfitters? The staff seems to think so as 1) This is a national retailer and 2) This is not a small store.

Ask the good and great (yes there are some!) retailers downtown and on state Street and they will support the addition of significant new retail both large and nationally based. For they know that great retail attracts shoppers. Poor retail with limited selection, outdated merchandise and that does not advertise does not...

I fully support the BID position and BID recommendations. Please share this email at tonight's meeting.

Thank you.

John Bergh
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From: Edward G Clarke [<mailto:EClarke@matcmadison.edu>]
Sent: Thursday, March 29, 2012 2:47 PM
To: Cover, Steven
Subject: RE: Staff recommendations on DT Plan

Steve,

thanks for your comment. Here is what I am seeing.

I appreciate staff's flexibility on the PDD and the Mifflin project. But I still think that they are too often taking steps to place barriers to development. I believe that many of their proposals look backwards and not forward. Some examples:

- A desire to protect all view identified on the map and not just the premier ones.
- A failure to see W. Washington and its potential development as a key ingredient in the rethinking of Mifflin. They are so focused on not making it a boulevard that they don't see it (both sides) as a part of the Mifflin project.
- They are still stuck on preserving too much. They want to leave in the potential landmarks language till they get around to cleaning it up. (It has been over ten years sitting with no action already) And they want to leave in the language about preserving "significant older structures" and existing flat-iron buildings. In the former case this is vague and as bad a phrase as "potential landmarks"; in the latter we need to preserve the forms but not the buildings as a general policy. (current language says preserve....flat iron buildings.)
- State Street, in a 20 year plan should never have a restriction that there will be "no major changes". Preserve what we like about it but don't say nothing will change. That's not a plan.
- Preserve the mid-block in Mifflin. Not sure why we should prejudge the new Mifflin vision and say, no matter what we come up with in our re-imagining Mifflin, we will have a mid-block, for sure. Seems strange to me.
- Finally, the insistence of creating Neighborhood Conservation Districts in a DT plan is bad policy. These things are bottom up and driven by the residents and owners, not the planners. And they are significant barriers to redevelopment driven by a very small group of citizens when they are formed. It seems the worst of NIMBYism to me.

In my judgement, each one of these things places barriers to development and creating the density we want.

Thanks for asking.

Ed

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Downtown Madison, Inc. (DMI)
Downtown Plan

Downtown Plan Memo by Planning Dept. Staff: Major Concerns

See the response below on staff comments that are of great concern to DMI. The final Plan Commission working group meeting is tomorrow, March 29th, 5pm in room 300 of the Madison Municipal Building. We need to have a clear and firm voice at this meeting. These items are extremely important for the future of downtown Madison and the future development/investment that we would like to see happen in the next 20-25 years.

Page 3 - referencing DT Plan page 41, Rec. 44: DMI strongly supports flexibility in the PDD language that allows for modification of all bulk standards, including height. We also recommend including Conditional Use as a mechanism when height is the only issue. The argument here is; “Why go into the PDD process if everything else conforms to the districts standards?” In addition, eliminating the bonus story criteria in Urban Design Zones stops redevelopment in that area because you cannot use PDD in Urban Design Districts to exceed height (unless they plan on changing that in the zoning code).

Page 4 - Urban Design's Rec 44 – DMI fully supports the UDC recommendation and would include language from EDC on PDD standards. UDC rec would read: ***“The New PDD in the proposed zoning code should allow for modification of all bulk standards, including height.”*** That says it all very clearly.

Page 6 - Rec 62 – DMI fully supports EDC language removing potential landmarks and other significant buildings language: ***Preserve and rehabilitate landmarks, potential landmarks, and other significant buildings, including flatiron buildings.***

Page 9 – (Third, fifth and sixth paragraphs) DMI supports the UDC’s recommendations—“as written” with no changes.

Page 10 – (First paragraph) DMI strongly supports the language as written from the UDC.

Page 10 – Rec 70 – DMI fully supports removing the call for Neighborhood Conservation District. When asked to explain why the City does not support a later recommendation for a special area plan in Langdon that would look at economic development opportunities, the City is quoted as saying; “This should be initiated by the property owners in the area and should not be the role of the City and nor be a directive in the Downtown Plan.” Neighborhood Conservation Districts should not be recommended by the City.

Memo

To: Plan Commission work group
From: Smart Growth Greater Madison
CC: Steve Cover, Aaron Olver, Bill Fruhling, Brad Murphy, Matt Tucker
Date: March 30, 2012
Re: Downtown Plan; Planning Dept. Staff Memo dated March 29, 2012

Smart Growth Greater Madison Comments on March 29th Memo to Plan Commission Work Group from Plan Dept. Staff:

PLANNED DEVELOPMENT DISTRICTS

1) PDD Recommendation Page 3 - referencing DT Plan page 41, Rec. 44. We must support keeping PDD language flexible, and allow for modification of all bulk standards, including height.

- **Staff response: You can opt instead to get a zoning map amendment.** This is no different than a PDD in terms of creating a lack of certainty in outcome, and a process that adds time to the development review time, as well as the fact that it may very well require a comp plan amendment which adds another layer of approval and more time, higher justification not related to quality of design and definitely precludes any predictability. We do not want to have a Grandview Commons showdown every time someone wants to add a story here or there. The PDD process should not be the rule however, it should be a tool.
- **Staff response: No conditional use because Plan Commission signs off and not Council.** Supporting Conditional Use as an option if a project meets the district standards in all regards except height allow oversight for additional height without opening the PDD process, during which everything is on the table. Yes, Plan Commission makes the decision, however, you could require that conditional use for downtown height issues also need approval by Council, or somehow give Council the ability to weigh in on height Conditional Use requests.
- **Staff response: We have effectively used absolute heights in Urban Design Districts.** It has been effective in limiting projects to 5 stories. However, there are many buildings that are currently limping along and not being redeveloped because the urban design height or set back requirements are so restrictive as to make redevelopment financially infeasible. If we want to give an opportunity for creativity

and interesting projects that we cannot foresee 10 or 15 years out, we need to have a mechanism that allows those imaginations to flourish and the projects to succeed.

- **Staff responses: You don't need bonus stories if you do PDD.** The bonus stories that are located in urban design districts are necessary because as noted above, you cannot exceed the height limits in those districts via PDD or conditional use. There is no direct tie between restoring PDD language and allowing bonus heights for the Langdon District or any other that many be located in an urban design district.

2) Page 4 - Urban Design's rec on page 44 of the DT Plan - "The New PDD in the proposed zoning code should allow for modification of all bulk standards, including height." Support fully, and would include language from EDC on PDD standards.

POTENTIAL LANDMARKS AND SIGNIFICANT BUILDINGS

3) Page 6 - Rec 62 – Removing Potential landmarks and other significant buildings language: *Preserve and rehabilitate landmarks, ~~potential landmarks,~~ and other significant buildings, including flatiron buildings.* Support Fully.

- **Staff responses: Landmarks was dealt and the 5 year window to go through the list is sufficient to address the use of potential landmarks or "significant" buildings in the rest of the plan.** Leaving the potential landmarks language in for the remaining five years that the 1998 report is sorted through continues to tie those buildings up for what will be close to 20 years from the time they were identified as potential landmarks. If they are not currently designated, they are not landmarks and should not be treated as such in a Downtown Plan. References to "significant buildings" and "potential landmarks" should be removed from the Plan while these buildings work their way through the designation process. If they are not in any designation process, than including them arbitrarily is obstructionist and potentially an unfair taking by the City of property owners' ability to redevelop.

MIFFLIN

4) Page 9 – Mifflin (Third paragraph) Support the recommendation from UDC adopting version 3 for the Mifflin area, with the following changes: remove the urban lane and include the concept for the West Wash Ave frontage shown in version 2 as described in the Letter of Transmittal dated Nov 15, 2011.

NEIGHBORHOOD CONSERVATION DISTRICTS

5) Page 10 – Rec 70 – Removal of recommendation to consider neighborhood conservation district in Bassett. Fully support. Additionally would support removing the call for potential district in Mifflin.

Staff responses: Neighborhood Conservation Districts are a viable tool. They very well may be, however, by ordinance, the Neighborhood Conservation Districts should be originated from within the neighborhood or property owners. Staff states in reference to not supporting a recommendation to create a special area plan to examine the

economic development opportunities on Langdon. “This should be initiated by the property owners in the area and should not be the role of the City and nor be a directive in the Downtown Plan.” If the special area plan should originate from the property owners, most certainly any Neighborhood Conservation District (namely Bassett and Mifflin) should also not be a directive from the City or a top down push from the Downtown Plan, as the ordinance is written to require origination by a resident of the proposed district.

Other Miscellaneous:

Staff responses: We don’t need programs and flexibility doesn’t have to be spelled out. The City places a high value on the preservation and rehabilitation of landmarks, potential landmarks, and potentially historic or significant buildings. Strong consideration should be given to create incentives to make it feasible and attractive for property owners.

Flexibility should be spelled out if there is any doubt to the ability of flexible standards to be applied. The Plan Commission has had to deny applications in past, for example if they did not meet certain requirements in the demolition standards where there is not explicated stated flexibility. If it is there is an intention for it to be implied, that should be stated in the Plan to guide future decision makers.