

To: Plan Commission Members

Re: Proposed development at 2103 Sherman Avenue (Legistar File 91289 and 91294)

It appears that City departments are currently reviewing this project, with comments due on January 23. However, City staff indicated at a recent public meeting that citizen comments would not be included in what they forward to you so I am writing to provide feedback that you might not otherwise receive.

The proposed development is inconsistent with several purposes specified in the City of Madison Zoning Code Ordinance. The Developer also seeks approval for two conditional use exceptions to the NMX Neighborhood Mixed-Use zoning code: 1) to exceed the maximum height by 65%; and 2) to exceed the number of units by 45%. The following table summarizes the project's inconsistencies with the stated purposes of the zoning code, followed by a table identifying a few of the conditional use standards not present. In each case the table outlines the reasons.

Zoning Code Purpose/Standard	Reason Not Consistent with Code
28.02 (d) To maintain and promote safe pedestrian and vehicular circulation.	Resident and retail vehicle traffic generated by the development will circulate through the already disjointed and confusing intersection of Sherman Ave, McGuire St, Warner Dr and Harbort Dr, heightening the danger to Pathways program clients and the other pedestrians enjoying Burrows Park and navigating the area's narrow streets.
28.02 (e) To minimize congestion in the public rights-of-way . . .	Fordem Ave and Sherman Ave are among just a handful of routes to downtown and the UW campus from the north, northwest, and northeast. A development of 87 units (45% above zoning code) will exacerbate the growing congestion on these routes and on through central Madison.
28.02 (n) To stabilize, protect, and enhance property values.	The proposed building may enhance the value of the parking lot it will replace, but will destabilize and devalue other neighborhood properties by making them less desirable due to increased traffic congestion, parking complications, street noise amplified by the building's mass, and the views and sunlight that will be obscured by the building.
28.02 (u) To provide an adequate variety of housing and commercial building types to satisfy the city's social and economic goals.	This development will increase the lopsided ratio of rental units vs. owner-occupied properties, adding to the city's growing wealth gap and thus putting stress on its economic stability and increasing the demand on social services. With only one 3-bedroom unit, the proposed complex does not support an adequate variety of housing.
<i>Design Standard 28D (h)</i> New development shall relate to the design of traditional buildings adjacent to the site in scale and character.	Immediately next door to 2103 Sherman Ave, the Banzo Restaurant is a popular destination and a welcome source of revenue in the neighborhood. The proposed five-story building is overwhelming in scale and its proposed materials are out of character with the neighborhood.

Conditional Use Approval Standard	Reason Standard Is Not Present
1. Will not be detrimental to or endanger public safety.	The developer proposes to route exiting vehicle traffic into the already disjointed and confusing intersection of Sherman Ave, McGuire St, Warner Dr, and Harbort Dr, increasing the danger to pedestrians, bicyclists, and other vehicles.
3. The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.	The area has neighborhoods with traditional owner-occupied homes and there are modest houses near the subject property that have been well-maintained for over 100 years. Granting the conditional use requests would inevitably alter the long-established character of the surrounding neighborhood and conflict with its family-oriented values.
8. The project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area.	Proposed materials reflect current fads that are unlikely to have sustained aesthetic desirability. The negligible number of family-size units is incompatible with the needs and character of the area. The proposed height is 65% greater than the zoning code, also making the building grossly incompatible with the area's traditional character.
9. Impact of parking on adjacent residential neighborhoods.	The number of on-site parking spaces is irrelevant unless the monthly charge is low enough to deter residents from relying on free street parking. Absent this commitment from the developer, adjacent residential streets will be the default, at great inconvenience and loss of aesthetic desirability for neighborhood residents. Parking along the west side of Sherman by residents of an apartment complex already poses risks for bikers, motorists, and walkers alike. From several points, southbound traffic is virtually hidden from view by the parked cars, due to the angles of the streets.
11a. Impact on surrounding properties, including height, mass, . . . shadows. . .	The shadows created by the proposed height and mass of this project will negatively impact the greenery on surrounding properties, reduce the daylight available in and around adjacent buildings, and significantly reduce the aesthetic appeal of the Banzo Restaurant building by towering over it.
11b. Public interest in exceeding the district height limits.	The developer has not proved any public interest in exceeding the district height limits. In fact, the proposal is counterproductive to ORD-25-00095 approved 12.1.2025 by the Plan Commission and subsequently by City Council to increase home ownership opportunities.

At two different public meetings arranged by Alder Matthews, the development team was asked about their pricing and return on investment assumptions for the project. Both times the response was that they could not determine this until they had an approved plan. Moments later they contradicted this statement by saying that the

project could not possibly be economically viable unless it is built as proposed. How can economic viability be assessed if they don't have financial assumptions in place for the project?

In order to thrive, cities need a balance between rental units and opportunities for home ownership. Achieving this balance in Madison requires a focus on the needs of ordinary citizens instead of on the profit of developers. If this developer is unable to amend the proposal so that it complies with all sixteen conditional use standards, that would open the way for a project that is more appropriate to the neighborhood. Something like two-story town houses, either in a free standing "cottage court" setting or as shared-wall condos or a mix of the two, would be a welcome addition to this neighborhood and would help make purchasing a home in the City more feasible for first-time buyers.

With gratitude for your volunteer service on this important commission,

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#### Sources:

- Zoning Code: [https://library.municode.com/wi/madison/codes/code\\_of\\_ordinances?nodeId=COORMAWIVOIICH20--31\\_CH28ZOCOOR\\_SUBCHAPTER\\_28LPR\\_28.183COUS](https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20--31_CH28ZOCOOR_SUBCHAPTER_28LPR_28.183COUS)
- Conditional Uses: [https://www.cityofmadison.com/dpced/planning/documents/PC\\_Review\\_Standards.pdf](https://www.cityofmadison.com/dpced/planning/documents/PC_Review_Standards.pdf)  
"No application for conditional use shall be granted by the Plan Commission unless it finds that **all** of the [16 approval standard] conditions are present." (see page 3)
- Three percent wealth gap between renters and homeowners.  
<https://www.aspeninstitute.org/news/aspen-institute-financial-security-program-report-identifies-stark-wealth-gap-between-renters-and-homeowners/>.
- Stable path to long-term financial security is less achievable for renters.  
<https://www.forbes.com/sites/andrejeanpierre/2024/07/31/owning-your-future-how-homeownership-is-stable-path-to-wealth/>.