



**Facilities Planning
& Management**
UNIVERSITY OF WISCONSIN-MADISON

December 12, 2018

City of Madison Plan Commission Members
c/o Heather Stouder
Planning Division Director & Plan Commission Secretary
City of Madison Planning, Community & Economic Development
Madison Municipal Building, Suite 017
215 Martin Luther King Jr, Boulevard
Madison, WI 53703

Re: 222 N. Charter Street
Proposed Rezoning for residential building purposes

Dear Plan Commission members,

The University of Wisconsin-Madison respectfully submits this letter in response to the proposed rezoning of 222 N. Charter Street. The proposed 12-story residential high rise disregards the setbacks and stepbacks in the Zoning Code and the typical densities developed throughout the neighborhood.

The underlying rationale to the University's objectives are:

- Multiple conflicts with the Zoning Code Ordinance;
- Conflicts with adjacent neighborhood plans and UW-Madison's Campus Master Plan;
- Density based on comparable residential developments via FAR (Floor Area Ratio); and
- Cost-benefit to UW-Madison students who are the intended residents of the proposed building.

Overall, the proposed construction plan is not suitable for its purpose and parcel size. The Plan Commission should deny the proposed rezoning and construction plans for the following reasons:

- 1) Rezoning this property to construct a 12-story residential building is inconsistent with the City of Madison's adopted Comprehensive Plan and the Regent Street-South Campus Plan, as well as the Greenbush, Vilas, Capital, State-Langdon, and Regent Street neighborhood plans that will be impacted by this precedent setting project. (Zoning Code Ordinance for Planned Developments, MGO Chapter 28.002(1)(a))

The proposed project does not meet the Madison Comprehensive Plan and the Regent Street-South Campus (RSSC) Neighborhood Plan in many ways (see attached Comparative Table).

- 2) The adjacent neighborhoods lack consensus regarding the proposed rezoning for a 12-story residential building that would have significant consequences on these densely-populated areas. The Joint Campus Area Committee, the official body representing the campus area neighborhoods in development proposals, voted on Nov. 7, 2018, against the proposed rezoning and recommended the Plan Commission not approve the proposed project requests. The Vilas Neighborhood Association council did vote separately in favor of the rezoning on October 24, 2018.

- 3) Rezoning the property directly conflicts with the long-range UW-Madison Campus Master Plan.

In the 1995, 2006 and most recently in the 2015 Campus Master Plan, this block has been shown as a future university academic/research facility site. In the 2008 Regent Street-South Campus Neighborhood Plan, the site was shown with a future land use of "Academic/Research". Residential development is not shown and was not envisioned as a potential land use on this parcel. Planning staff suggest that residential use may be consistent, yet the adopted Campus Master Plan and the Regent Street-South Campus Plan both call for specific residential land uses in other areas.

In addition, the C-I District Campus Master Plan identifies this block as future academic/research and has been approved by the Common Council, Plan Commission, Ped/Bike Motor Vehicle Commission, Urban Design Commission, and all surrounding neighborhood associations (Vilas, Greenbush, Regent, State-Langdon, Dudgeon-Monroe, Capital, Sunset Village, and Bay Creek). The Board of Regents have also reviewed and accepted the 2015 Campus Master Plan along with many shared governance committees across the University.

- 4) The proposed project far exceeds all density defining Floor Area Ratios established by other similar projects in the South Campus Area at FAR = 8.7, as compared to:
- a. Vantage Point, 1323 W. Dayton St. = 4.2
 - b. X01, 1001 University Ave. = 4.2
 - c. Humbucker, 1419 Spring St. = 4.6
 - d. 202 N. Brooks St. = 4.6
 - e. 1419 Monroe St. = 5.0
 - f. Grand Central, 1022 W. Johnson St. = 6.6
- 5) Rezoning the property to allow for the proposed 12-story residential hi-rise will result in the following consequences:
- a) Proposed project heavily depends on student rental rates at over \$1,000/month per bedroom, posing a barrier to affordable housing constituents.
 - b) A single undersized loading and unloading space for the almost 200 potential residents and their guests.
 - c) An unsafe bicycle path with dangerous blind spots created by columns, landscape plantings, and parking.
 - d) Inadequate moped parking that does not provide appropriate property line setbacks.
 - e) Inadequate provisions for move-in and move-out processes.
 - f) No on-street parking available on N. Charter Street or nearby for guests or residents.
 - g) Inadequate snow storage for plowing of the bike parking, moped parking and bike path.
- 6) Rezoning the property for the proposed purposes would set a precedent for the City of Madison. It disregards the adopted neighborhood plans as well as any requirement to stay within the bounds of the recently approved Comprehensive Plan.

At their November 21, 2018, meeting, UDC members suggested that this proposed project will not establish a precedent for future development yet in reality is clearly sets a significant precedent. In fact, the developer has cited a previously approved project as their precedent for why this proposed project should be approved. City Planning staff also remained highly concerned, as stated in their staff report, (dated December 17, 2018) about the precedent set by this project as it ignores the adopted Comprehensive Plan and Regent Street-South Campus Neighborhood Plan.

- 7) The proposed project is not a logical and orderly development of the City or the University. The proposed project inhibits the planned growth of adjacent university property for academic and research facilities by not allowing it to be developed to its highest and best use.

- 8) From a constructability standpoint, the University remains concerned at how the proposed project could be built without disrupting normal and orderly activities on adjacent university property and along the city's public right-of-way both during (siting a tower crane) and after construction. The sidewalk along the west side of N. Charter Street is a heavily used public pedestrian corridor connecting the residential areas to the south and university facilities to the north.

In addition to opposing the rezoning for the above-stated reasons, UW-Madison takes exception to the applicant's memorandum dated September 19, 2018, as follows:

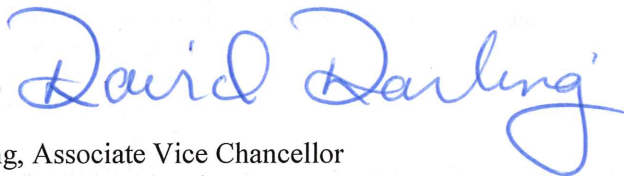
- a) The document misrepresents consistency with the neighborhood plan when in fact the proposed project is not consistent with the adopted neighborhood plan nor the City of Madison Comprehensive Plan.
- b) The document states that the university has not been able to offer a market rate price for the property, yet UW-Madison has attempted on several occasions to purchase the parcel at a fair market price, based on professional, objective third-party appraisers' valuations. The 2018 City of Madison assessed value currently is \$335,000 with an estimated fair market value of \$349,100.

UW-Madison does support residential housing for students on campus and in the surrounding areas. We nonetheless oppose proposed development plans that conflict with adjacent adopted neighborhood plans, the Madison Comprehensive Plan, and the City of Madison zoning.

For these reasons, UW-Madison strongly opposes the proposed rezoning and construction project and requests the Plan Commission deny the proposed project requests.

Feel free to contact me with questions or concerns about UW-Madison's position.

Sincerely,



David Darling, Associate Vice Chancellor
UW-Madison Facilities Planning & Management

Enclosure: UW-Madison Comparative Table (12/11/18)

XC:

Laurent Heller, UW-Madison Vice Chancellor for Finance & Administration

Gary Brown, UW-Madison Campus Planning

Ben Griffiths, UW-Madison Legal Affairs

Kristin Johnson, UW System Legal Counsel

Kip McMahan, UW Madison Facility Planning & Delivery

Alexandria Roe, UW System Associate Vice President for Capital Planning & Budget

Zach Wood, City of Madison Alder District 8

UW-Madison Comparative Table of 222 N. Charter Street Proposed Features

(12.11.18)

#	Adopted Plan	Current Project Proposal	Deviations from the Adopted Plans
1	Madison Comprehensive Plan - Goal – <i>“Madison will have a full range of quality and affordable housing opportunities throughout the City.”</i>	The developer has stated that these will be market rate apartment housing with a typical 2-bedroom apartment priced at approximately \$2,000/month.	No affordable housing is being proposed in this project.
2	Madison Comprehensive Plan – Strategy #7 “Land Use & Transportation” <i>Maintain downtown Madison as a major activity Center for the region while improving access and inclusivity. A.) Affordability - Much of the recent redevelopment in and around downtown has been focused on high-end residential units. As some older, more affordable units are occasionally demolished for more intense redevelopment, an effort should be made to create new affordable units to make downtown living more available to households of all income levels.”</i>	The developer has stated that these will be market rate apartment housing with a typical 2-bedroom apartment priced at approximately \$2,000/month, far above the affordability index for many UW-Madison students.	No affordable housing is being proposed in this project.
3	Madison Comprehensive Plan – Strategy #4 “Neighborhoods & Housing” – <i>Integrate lower price housing, including subsidized housing, into complete neighborhoods. Support the distribution of affordable housing throughout the city.</i>	The developer has stated that these will be market rate apartment housing with a typical 2-bedroom apartment priced at approximately \$2,000/month.	No affordable housing is being proposed in this project.
4	Madison Comprehensive Plan – Growth Framework – <i>“it is important to refer to other Elements of this Plan and other city plans and ordinances (such as adopted neighborhood plans, ...) when considering whether development is appropriate for a given parcel.”</i>	The proposed development fails to meet all of the adopted plan goals (Comp Plan and the RSSC Plan).	The proposed project ignores many elements of the adopted Madison Comprehensive Plan and the RSSC Neighborhood Plan and sets a bad precedent for future development elsewhere in this area of the city.
5	Madison Comprehensive Plan – Generalized Future Land Use <i>“Sub-area plans frequently offer more detailed height and design standards, and should be referred to in addition to this Plan.”</i> Sub-area plans standards should be applied when they are more restrictive than the Comprehensive Plan.	The proposed development fails to meet all of the adopted plan goals (Comp Plan and the RSSC Plan).	The proposed project ignores many elements of the adopted Madison Comprehensive Plan and the RSSC Neighborhood Plan and sets a bad precedent for future development elsewhere in this area of the city.
6	Madison Comprehensive Plan – Generalized Future Land Use (In reference to privately held lands within the boundary of the UW-Madison campus: <i>“If such privately owned parcels redevelop, their use and design should be consistent with adopted sub-area plans, the most relevant of which, as of the adoption of this Plan, is the Regent Street-South Campus Neighborhood Plan.”</i>	The proposed development fails to meet all of the adopted plan goals (Comp Plan and the RSSC Plan).	The proposed project ignores many elements of the adopted Madison Comprehensive Plan and the RSSC Neighborhood Plan and sets a bad precedent for future development elsewhere in this area of the city.
7	Madison Comprehensive Plan – Consistency Between Sub-Area Plans and the Comprehensive Plan – <i>“If an inconsistency is identified between this Plan and a reasonably contemporary sub-area plan, substantial weight should be given to the sub-area plan.”</i>	The proposed development fails to meet all of the adopted plan goals (Comp Plan and the RSSC Plan).	The proposed project ignores many elements of the adopted Madison Comprehensive Plan and the RSSC Neighborhood Plan and sets a bad precedent for future development elsewhere in this area of the city.

#	Adopted Plan	Current Project Proposal	Deviations from the Adopted Plans
8	Madison Comprehensive Plan – Land Use and Transportation, Strategies - <i>“Expand and improve the city’s pedestrian and bicycle networks to enable safe and convenient active transportation.”</i>	The proposed plan recommends the development of a shared-use path that is 10 feet wide with 2 ft. shoulders, which fails to meet the safety standard set forth in the Comp Plan.	The design of a shared use path that goes under a building, 2 ft. from the building face and 2 ft. from columns with surrounding landscaping, is by design, unsafe.
9	Madison Comprehensive Plan – Land Use and Transportation, Strategies <i>“Transitions Between Redevelopment and Existing Development - There are some general strategies that should be considered to lessen impacts on surrounding properties so that their use is not substantially impaired by redevelopment projects. These strategies can include: 1. Building step-backs to lessen massing and shadow impacts; 2. A landscape buffer to shield the ground floor from adjoining properties; 3. Fencing to improve backyard privacy; 4. A side yard and/or rear yard setback. Neighborhood, corridor, or special area plans may create location-specific design standards that articulate what transition measures are needed in which areas of the city.”</i>	The proposed project provides a less than 1-foot step-back, which fails to meet the standard set forth the Comp Plan. No landscape buffer is provided on the north side and a minimal buffer, single line of shrubs is shown on a portion of the west property line in an area that is less than 2 ft., 9 inches wide.	The step-back is only a material change from brick to precast. This is not a true step-back and no-where close to the identified 15-foot step-back noted in the plan.
10	The RSSC Plan recommends a future land use for this block and this particular site as “Academic/Research”, (page 3-14, Map 3.7).	The proposed use is purely residential. No mixed use and no academic or research facilities are included.	Residential land uses are not included in this area of the RSSC plan. Residential is recommended as a land use for other areas on campus, but not for this particular block or parcel.
11	Streetscape enhancements: The RSSC Plan identifies wider pedestrian spaces with ample room for benches, street trees, vegetation & other amenities.	The proposed plan includes an 8.5-foot sidewalk and 2 street trees and other minimal landscaping in and along the public right-of-way. No benches or other site amenities are included.	The proposed plan fails to meet the RSSC Plan standard in that it does not provide a wider pedestrian space and ample room for adequate circulation and other pedestrian amenities (benches, etc.) The proposed plan does not provide for deliveries or move-in, move-out loading and unloading further creating traffic impacts on the public right-of-way.
12	The RSSC Plan shows a 10-foot setback from the N. Charter Street public right-of-way.	The proposed plan is currently showing a 3 ft. setback from the right-of-way.	The proposed project does not meet the set-back identified for N. Charter Street in the RSSC neighborhood plan.
13	The RSSC Plan shows a 15-foot step-back from N. Charter Street after the 3 rd floor and a minimal step-back on the north, i.e. W. Johnson Street.	The proposed project provides a range of 3-4 feet in a step-back condition or a 4-5 feet step-back condition after the third floor.	The proposed project does not meet the step-backs identified of the approved RSSC neighborhood plan. More than a third of the top nine floors are in violation.
14	More on step-backs from the RSSC Plan...	The proposed project provides a less than 1-foot step-back.	The step-back is only a material change from brick to precast. It is not the 15-foot step-back noted in the plan.
15	Campus Drive Shared Use Ped-Bike Path - The RSSC Plan identifies a minimum set-back of 10-feet to allow room for site and landscape elements that enhance the pedestrian and visual experience along the shared use path. A 10-foot step-back is also identified to be above the 3 rd floor.	The set-back is included in the shared use path and the step-backs is shown at 2.5 feet on the south side of the proposed building.	The proposed plan does not meet the identified set-backs or step-backs from the shared use path. No setback or step-back along the shared use path.

#	Adopted Plan	Current Project Proposal	Deviations from the Adopted Plans
16	The RSSC Plan states that Campus Drive Shared Use Pedestrian-Bicycle Path should include site and landscape elements to enhance the visual experience.	The proposed project includes a solid blank wall along the full extent of the south façade along the shared-use path.	The proposed plan does not meet the identified design parameters of the RSSC Plan related to shared use pedestrian & bicycle paths.
17	MGO 29.098(2)(d) - <i>"The PD District Plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands."</i>	The proposed project includes a minimal 16-foot long "short-term parking space" perpendicular to N. Charter Street for deliveries and loading.	The proposed loading space is not long enough for a standard vehicle let alone a larger truck or moving vehicle. Anything longer than 16 feet will hang over the property line and into the public sidewalk right-of-way blocking safe pedestrian travel and creating a blind spot for users of the shared use path on the south side of the proposed building.
18	MGO 28.141(11)(f) - <i>"...up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking...."</i> I read this to mean up to (.25) of the 101 bike stalls can be wall-mounted, or ~25 stalls. Stopple's proposal provides 46 wall hung stalls, exceeding the 25 maximum.	The proposed project provides 101 bicycle parking spaces, 46 of which are wall hung.	By ordinance, only 25% of the bicycle parking can be wall hung. The proposed project nearly doubles that maximum number of wall hung spaces.
