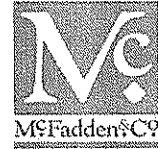


Letter of Intent

From: McFadden & Company
228 State Street
Madison, Wisconsin 53703
608 251 1350 (Voice) 608 251 1325 (Fax)



To: City of Madison Plan Commission
215 Martin Luther King Blvd
Madison, Wisconsin 53701

Date: January 2, 2008

Project: 119-125 North Butler and 120 & 124 North Hancock

The proposal presented herein is the culmination of an ongoing joint effort between the developer, a long time resident of the 100 of North Hancock block, his neighbors and their representatives. It has evolved sufficiently since it was initially submitted in May 2007 as to benefit from this addendum to the original Letter of Intent.

Address:

119, 123 & 125 North Butler and 120 & 124 North Hancock

Existing Conditions:

There are currently five residential structures on this sloping half-acre site: three facing Butler Street and the downtown to the west, and two fronting Hancock Street and the Old Marketplace Neighborhood to the east.

119 North Butler and the two buildings on Hancock were built circa 1900 and have retained their original traditional wood clad architectural character. 123 North Butler was constructed of masonry forty years after its neighbors while 125 North Butler has been extensively expanded and remodeled over the years.

Most of the site (57%) is devoted to parking. There are three existing drives (two from Butler and one from Hancock), three three-stall garages and twelve surface parking stalls. There is 1,516 SF of useable open space occupying 7.4% of the site.

6

Proposed Improvements:

Proposed are four interrelated but distinct developments, each designed to respond to and to reinforce its particular milieu.

The two existing rental duplexes on Hancock Street will be renovated and converted to condominium ownership.

The three existing garages, two drives from Butler Street and 7,200 SF of surface parking in the center of the block will be removed and replaced with an inviting landscaped lawn covering new structured parking constructed entirely below grade. The portion of the site devoted to useable open space will be increased fivefold from 7.4 to 39.3%.

The existing building currently at 119 North Butler will be moved to 520 East Johnson and the two functionally obsolete and architecturally anomalous structures at 123 & 125 North Butler will be demolished. A new architecturally compatible wood framed four-story LEED certified building with 38-predominately studio and one-bedroom rental apartments will be constructed in their place.

Construction Schedule:

Start: Winter 2008
Completion: Fall 2008

Owner:

Cliff Fisher
107 North Hancock
Madison, Wisconsin 53703

General Contractor:

Key Construction
7507 Hubbard Avenue
Middleton, Wisconsin 53562

Architect:

James McFadden
McFadden & Company
228 State Street
Madison, Wisconsin 53703

Green Building Consultant:

Josh Arnold
Franklin Energy
211 South Paterson Street
Madison, Wisconsin 53703

Landscape Designer:

Jean Borman
Garden Productions
521 Farwell Drive
Madison, Wisconsin 53703

Current Zoning:

R6

Site Area:

20,625 SF or 0.47 Acres

Building Coverage:

Existing: 7,534 SF
Proposed: 8,704 SF (2,236 SF Existing & 6,468 SF New)

Surface Parking & Paved Area:

Existing: 9,313 SF
Proposed: 978 SF

Useable Open Space:

Existing: 1,516 SF
Proposed: 8,110 SF

Floor Area:

Total Existing:	13,534 SF
Retained:	4,671
New:	6,468 SF Footprint x 4.0 Stories = <u>25,872</u>
Total Proposed:	30,543 SF

Floor Area Ratio:

Existing: $13,534 \text{ SF} / 20,625 \text{ SF} = 0.66$
Proposed $30,543 \text{ SF} / 20,625 \text{ SF} = 1.48$

Apartments:

Existing Retained:	4
Existing Removed:	(9)
Proposed New:	38
Total:	42

Unit Mix:

Existing:	4 Threes
Proposed:	14 Efficiencies, 22 Ones & 2 Twos

Lot Area:

(14) Efficiencies	@ 300 =	4,200 SF
(22) Ones	@ 450 =	9,900
(2) Twos	@ 600 =	1,200
(4) Existing Threes	@ 750 =	<u>3,000</u>
Lot Area Required (R6)		18,300 SF < 20,625 SF Provided ok

Usable Open Space:

(14) Efficiencies	@ 70 =	980 SF
(22) Ones	@ 70 =	1,540
(2) Twos	@ 140 =	280
(4) Existing Threes	@ 210 =	<u>840</u>
Total Open Space Required (R6)		3,640 SF < 8,110 SF Provided ok

Parking:

Existing:	
Surface:	12
Enclosed:	9
Total:	21

Proposed:	
Surface:	0
Enclosed:	38
Total:	38

No residential parking permits will be issued for *121 North Butler*; the applicant shall inform all tenants of this in their apartment leases.

To an unusual extent this proposal is the neighborhood's plan as it evolved through a series of public neighborhood gatherings held on March 19th, May 8th, September 10th, and October 17th plus three meetings with Alder Brenda Konkel, two sessions with Capitol Neighborhood, Inc.'s (CNI) Advisory Steering Committee as well as numerous additional meetings with other downtown residents and members of the City staff.

The size and shape of the development were dramatically altered in response to the various concerns raised, and suggestions made in this process. For instance, the building was originally conceived as a classic masonry apartment block one hundred and fifty feet in depth with limited semi-covered parking. The neighbors were insistent that what additional parking demand the project generated be absorbed on site and in response the garage was enlarged to its current size. Alder Konkel asked that this garage be sufficiently buried so that the structure would not project above grade and more importantly asked that the depth of the building be reduced and that the original masonry facade be abandoned in favor of the wood frame vernacular of its immediate neighbors. These changes were made. Subsequently Alder Konkel made additional friendly suggestions regarding the arrangement of the stoops; the front porches and the roofline along the side and rear facades all of which have been incorporated in the design presented here.

The initial four public meetings were collegial and exploratory in nature where advice rather than consent was solicited. This has led to some confusion as to the depth and extent of the support the neighbors have demonstrated for this development. At the recommendation of the UDC, consideration of this proposal was placed on the agenda of the November 27th CNI James Madison Park District meeting. A canvas was taken following a presentation, and discussion the project, and 25 of those present voted for the development as presented and five against. This level of support has been typical throughout the process. The most consistent complaint raised against the proposed redevelopment was it would improve the neighborhood and contribute to an increase in rents and property taxes.

As the *Fourth District-Old Market Place Neighborhood Plan* dates from 1983 and no longer served as a reliable guide the plans for this property were developed in conformance with the guidelines enunciated in the more contemporaneous Bassett and First Settlement Neighborhood plans and in awareness of the Plan Commission's Criteria as illustrated in the following:

Criteria For Approval. As a basis for determining the acceptability of a planned unit development district application the following criteria shall be applied with specific consideration as to whether or not it is consistent

with the spirit and intent of this ordinance and has the potential for producing significant community benefits in terms of environmental and aesthetic design.

1. Character And Intensity Of Land Use. In a planned unit development district the uses and their intensity, appearance and arrangement shall be of a visual and operational character which:

a. Are compatible with the physical nature of the site or area.

Urbanistically the one hundred block of North Butler forms a boundary. To the east is a neighborhood of older predominately two and three story modestly scaled and traditionally detailed wood framed houses while to the immediate west rise the massively proportioned concrete & brick 600 stall Capitol North parking ramp and the twelve story YWCA & Capitol Point condominium buildings.

This three interrelated developments effectively straddle and mediate this divide, The new higher density, and larger scaled building will be located on Butler where it faces the Capitol North Ramp and the downtown core. The inner yard will be restored for recreational use. The two existing buildings on Hancock will be retained and renovated reinforcing the inner fabric of the neighborhood to the east.

Topographically the site is on the lower reach of the hill rising to the Capitol. There is an approximately nine-foot fall from the southwest (Butler & Mifflin) to northeast (Hancock & Johnson) corner of the property. The new garage is constructed entirely under and the proposed building is built into this slope. This completely hides the garage and effectively minimizes the apparent height of the new building on Butler Street.

Architecturally the eastern face of the Butler streetscape consists predominately of two-story (three story including occupied attics) wood framed clapboard sided houses with steeply pitched roofs, raised first floors, full width balconies, and generous stoops. The new building as proposed mimics this design vernacular literally. While the building is as tall as tallest neighboring residential building and is wider than any of the other buildings on its side of the block (the Capitol North Ramp directly across the street is both taller and wider) it adopts a variety of stratagems to minimize its apparent size. Vertically the ground floor is suppressed below the Butler Street grade while the fourth level is given the appearance of an occupied attic giving the

appearance of a traditional two-story building. Horizontally the building is visually divided with a pronounced center recess separating what will appear as a matched pair of houses each with steeply pitched gables, full width balconies, and generous stoops all appropriately in scale with the neighborhood.

The proposed redevelopment is in full compliance with the physical parameters of the underlying R6 zoning and requires no dispensation with regards to set back, density, massing, open space and parking. This request for rezoning was necessitated by a technicality in the zoning ordinance (28.04(4) that allows only one residential building on a particular property.

b. Would produce an attractive environment of sustained aesthetic desirability, economic stability, and functional practicality compatible with the general development plan.

This redevelopment actually improves three separate environments. Hancock Street will gain two refurbished buildings that will be occupied by long-term residents with a stake in the neighborhood. A new landscaped inner yard will replace the existing tangle of parking lots, garages, and drives mid block. Thirty-eight appropriately scaled and well-appointed apartments in an attractive architecturally compatible building replace the nine functionally obsolete units on Butler Street.

A full quarter century ago "*The Fourth District Old Market Place Neighborhood Plan*" found that "*Some of the area's housing stock is in blighted, deteriorated condition and is poorly weatherized and energy inefficient. With dramatically rising prices for heating fuels, low-income residents may be forced out of their homes or have their health endangered...The exteriors of a considerable number of residential and commercial structures are found to be in poor condition.*" The accompanying map specifically identified the subject block as composed of structures with on average "*Poor*" exterior conditions. There has been minimal investment in the area over the intervening years.

A multitude of studies, reports and plans have been prepared for the Isthmus and its constituent neighborhoods and they generally encourage higher residential density. *The Isthmus 2020 Committee Report* for instance calls for developing 4,500 new residential units on the Isthmus by the year 2020.

Both the Bassett and First Settlement Neighborhood both recognize the need for a greater long term residential presence. In their recommendations they all reiterated the fundamental planning principal that the inner fabric of a

neighborhood can best be preserved if the desired growth is located on the periphery of that neighborhood where it abuts the business district, a larger non-residential entity or major traffic corridor. For instance, the *“Guidelines to achieve sensitive higher density development within the First Settlement Neighborhood”* states *“Higher density residential should be planned for arterial streets, institutional edges such as Butler Street and the Lake Monona frontage. Lower density residential should be planned for residential streets.”*

The two existing buildings within the neighborhood on Hancock will be renovated and converted to condominium ownership. A new eighty-foot deep landscaped yard will be created in the center of the block so it could possibly be incorporated into some future “whole-block” development such as the one implemented on Block 49 in the Bassett Neighborhood. A new architecturally compatible building providing thirty-eight attractive apartments will be constructed on the neighborhood’s boundary facing the downtown. This is a textbook example of sound planning practice and so is in conformance with development plans for the adjacent neighborhoods.

With regards to sustainability the proposed new building, which is already registered with the U.S. Green Building Council, is being designed in collaboration with Focus on Energy to meet the Leadership in Energy and Environmental Design (LEED) criteria necessary to assure long-term economic and environmental viability.

c. Would not adversely affect the anticipated provision for school or other municipal service unless jointly resolved.

The proposed redevelopment will have no impact on the school population. It would be nice to think that families would move back downtown if only the appropriate housing stock were made available to them. The unfortunate fact is that the housing in this neighborhood was originally specifically designed and built for families (per the 2000 Census each dwelling unit in the area has on average three bedrooms), but that successive subsequent generations of families have chosen to neither rent nor purchase these houses but have instead decided in concert with their cohorts across the country to reside in either the outlying neighborhoods or in the suburbs.

There has been a smaller countervailing trend of what might be broadly characterized as households without children moving back into cities nationally and onto the isthmus locally. The Old Market Place Neighborhood generally and the 100 block of North Butler specifically would be attractive to those who

work downtown or simply wish to enjoy its attractions as it has the hundreds of employers, the State Capitol, multiple cafes and restaurants, live theater, Concerts on the Square, Lake Mendota, James Madison Park, the Farmers Market, and two grocery stores, all within a short five-minute walk. The physical, economic, and cultural infrastructure is in place for what could be a thriving neighborhood of long term residents except for the absence of the affordable, appropriately scaled, energy efficient housing with the privacy, secure parking and the amenities such as private balconies, wood floors, dishwashers, in unit laundries, and adequate closet space that adult Americans have come to expect and this redevelopment provides.

d. Would not create a traffic or parking demand incompatible with the existing or proposed facilities to serve it unless jointly resolved.

The additional parking demand generated on site will be met on site. No street parking permits will be issued for the residents of the new building. This fact will be clearly stated in all lease agreements. Short-term visitor parking can be readily accommodated in the Capitol North parking ramp directly across Butler Street,

The subject of additional traffic on Hancock Street was specifically brought up at the November 27th CNI meeting and the residents without dissent agreed that the additional traffic generated by the redevelopment would have no impact on the neighborhood.

One of the stalls will be equipped with the appropriate outlets and reserved for an electric vehicle that will be provided by the developer for the use of the buildings' residents.

2. Economic Impact. Planned unit development district shall not adversely affect the economic prosperity of the City or the area of the City where the planned unit development is proposed, including the cost of providing municipal services.

While the housing stock in the Old Marketplace Neighborhood may be old, the residents are new. The 2000 Census data for Block 3 Tract 17.01 which roughly overlays the boundaries of the neighborhood shows that 96% of the area's residents rent and that 70% have moved in within the previous year. Fewer than 10% of the residents have lived here for more than five years.

This is a neighborhood of transients that has until very recently been sustained almost exclusively by successive waves of incoming students. Unfortunately, this demographic stream is being diverted to the dozens upon dozens of large

and larger new student housing projects being developed adjacent to the University. Absent immediate active intervention the Old Market Place Neighborhood is poised for a downward spiral of rising vacancies, lower rents, deferred maintenance and falling property values. If history is, any guide this process may take decades to stabilize.

We are as a community several years late in recognizing and responding to the all too predictable consequences that will follow the depopulation of this neighborhood. It is imperative that stable pockets of longer-term residents are created in this area and this will require the development of the type and quality of housing these prospective residents might choose to live in.

This is an instance where standing by doing nothing will definitely “adversely the economic prosperity of the City.”

3. Preservation and Maintenance of Open Space. In a planned unit development district adequate provision for the improvement and continuing preservation and maintenance of attractive open space shall be made.

The five existing buildings currently share a collective 1,516 square feet of uninviting useable open space. The residents of the one new and two refurbished buildings will have use of 8,110 square feet of landscaped yard complete with decks, walks and gathering areas.

4. Implementation Schedule. A planned unit development district shall include suitable assurances that each phase could be completed in a manner which would not result in an adverse effect upon the community as a result of termination at that point.

This redevelopment which will commence with the demolition of the existing buildings at 123 and 125 North Butler, the relocation of the building currently at 121 North Butler to its new location at 520 East Johnson and the excavation for the new garage and the installation of the geothermal piping will proceed in a single phase.

Zoning Text for 121 North Butler Street

Legal Description: The lands subject to this planned unit development shall include those described in Exhibit A, attached hereto.

A. Statement of Purpose: This zoning district is established to allow for the continued use of two existing residential buildings located respectively at 120 & 124 North Hancock Street and the construction of a new multifamily residential building at 121 North Butler Street.

B. Permitted Uses:

1. Those that are stated as permitted uses in the R6 zoning district.
2. Uses accessory to permitted uses as listed above.

C. Lot Area: 20,625 SF or 0.47 Acres.

D. Floor Area Ratio:

1. Maximum floor area ratio permitted is 2.0.
2. Maximum building height shall be as shown on approved plans.

E. Yard Requirements: Yard areas will be provided as shown on approved plans.

F. Landscaping: Site landscaping will be provided as shown on the approved plans.

G. Accessory Off-Street Parking & Loading: Accessory off-street parking and loading will be provided as shown on approved plans.

No residential parking permits will be issued for *121 North Butler*, the applicant shall inform all tenants of this in their apartment leases.

H. Lighting: Site lighting will be provided as shown on approved plans.

I. Signage: Signage will be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the R6 district.

J. Family Definition: The family definition of this PUD-SIP shall coincide with the definition given in Chapter 28.03(2) of the Madison General Ordinances for the R6 zoning district.

K. Alterations and Revisions: No alteration or revision of this planned unit development shall be permitted unless approved by the City Plan Commission, however, the Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Development and the alderperson of the district and are compatible with the concept approved by the City Plan Commission.

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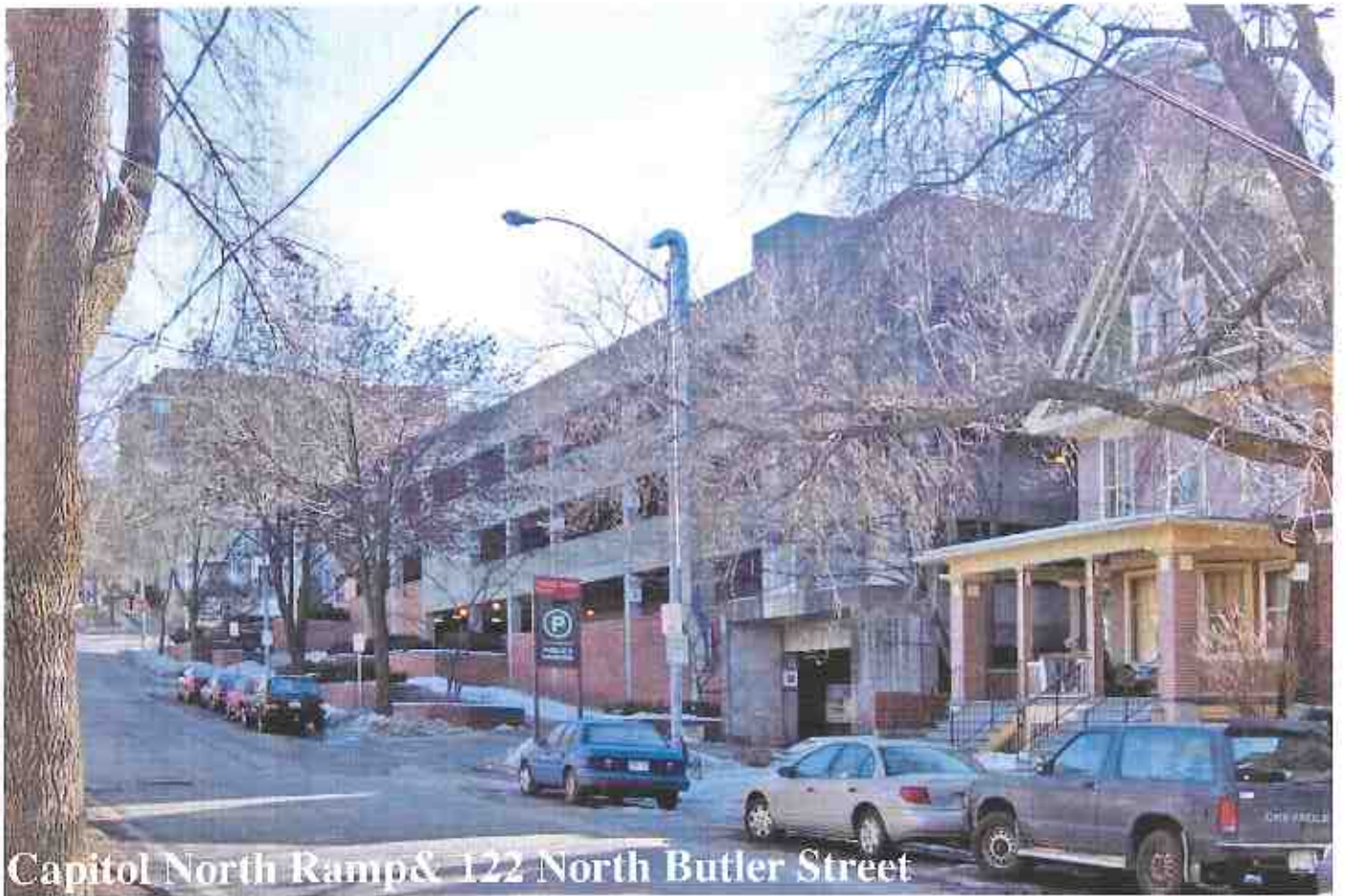


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Aerial Photo @ 1" = 100'
119-25 North Butler
December 2, 2008



Capitol North Ramp & 122 North Butler Street

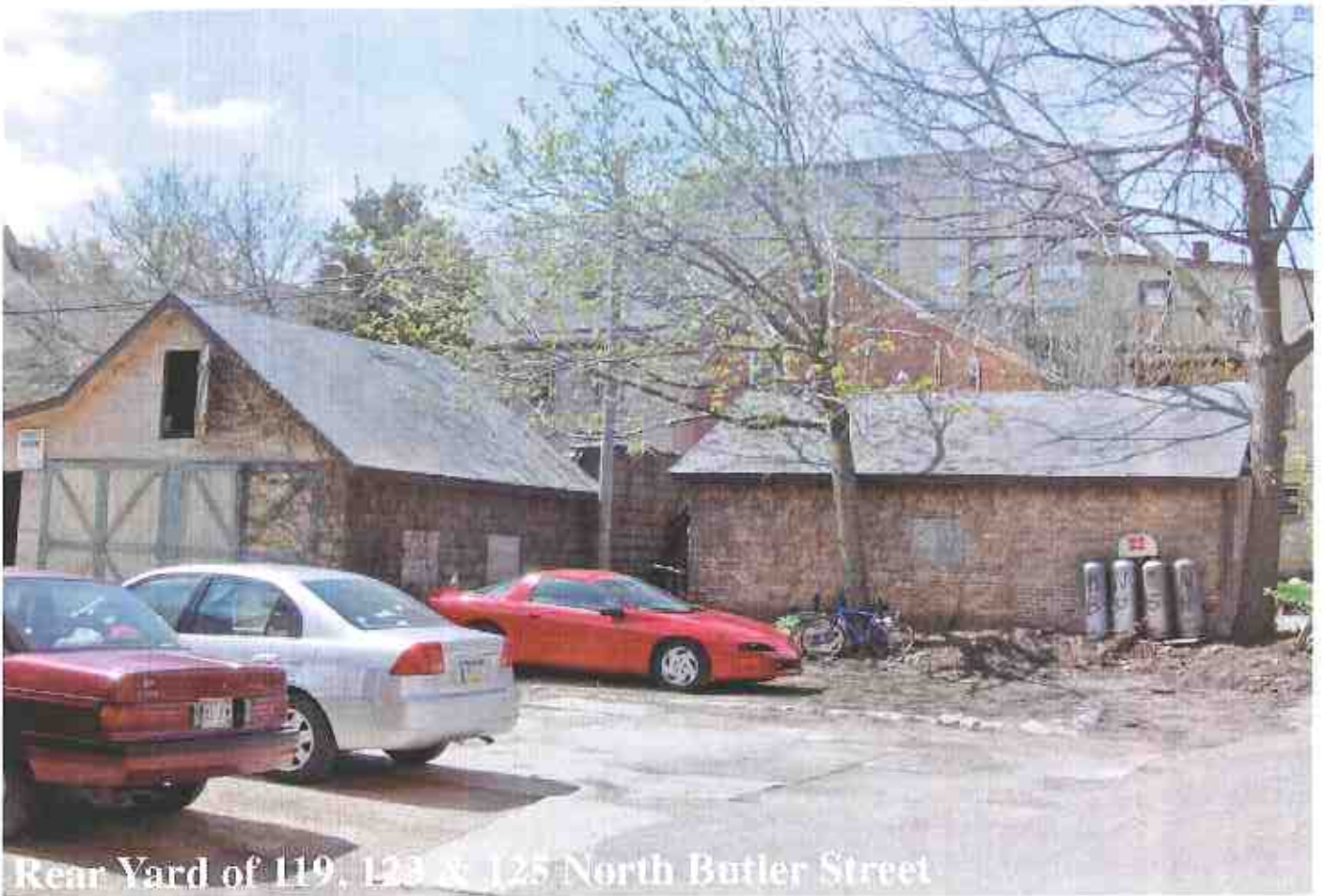


119, 123 & 125 North Butler Street

6



120 & 124 North Hancock Street



Rear Yard of 119, 123 & 125 North Butler Street

6

Existing Conditions

From: McFadden & Company
228 State Street
Madison, Wisconsin 53703



To: City of Madison Plan Commission
215 Martin Luther King Blvd
Madison, Wisconsin 53701

Date: May 8, 2007

Project: 119, 123 & 125 North Butler

The proposed redevelopment of the five contiguous properties located at 119, 123 & 125 North Butler and 120 and 124 North Hancock Streets will entail the retention of the two residential buildings on Hancock, the relocation off site of the residential building at 119 North Butler and the demolition the two residential buildings at 123 and 125 North Butler and the three garages located respectively in the rear yards of 124 North Hancock and 123 & 125 North Butler.

The three residential buildings on North Butler are all structurally sound and by the standards of student housing market well maintained. The three masonry garages are functionally obsolete and are currently used more for storage than parking and therefore not surprisingly show signs of deferred maintenance most notably in the cracking of and between the masonry units.

119 North Butler is a two story 21' by 43' wood framed structure with the broad porch and pitched roof characteristic of its time and neighborhood. It was originally constructed as a single-family house in 1894. It has subsequently been divided into three apartments. One unit occupies the former living room and dining room on the front of the first floor while a second was formed out of the former kitchen and pantry to the rear. The second floor apartment has two of the original well-proportioned bedrooms in the center with the original front bedroom now serving as living room and the rear as the kitchen. There is a rubble walled basement with access only from the exterior and an undeveloped attic. With its current layout it would have no appeal outside the student market but it does offer the possibility of being restored as single-family residence.

In contrast with its neighbors 123 North Butler is a long thin (21' by 59') masonry veneered porch less building with a low-pitched roof. It was apparently originally built as a fourplex in 1938. Entry and the common stair are located at the rear with the door to the street serving a single apartment. For some inexplicable reason this building was divided into two along its length resulting in two extraordinarily long narrow apartments on each of the two floors. The southern units have a small living room to the front and a kitchen to the rear with two small bedrooms each barely large enough (7' by 8'-4") to accommodate a single twin bed. The northern unit is essentially a long 8' wide hall with partitions partially delineating living, dining and sleeping spaces. 123 Butler has a layout that is marginal at best for the student housing market and a geometry that disallows any efficient conversion to any other use.

Some portions of 125 North Butler apparently date from 1874 though it appears that it was moved from its original to its current location at some undetermined date as it currently sits on a poured concrete and not a rubble foundation wall. The original attic and roof were removed in the 1970's and a new third floor added. The original wood façade was removed at the same time and replaced with a mix of plywood siding and stone. The building, which has a relatively small 23' by 40' footprint, has a small but relatively straightforward one-bedroom apartment on the first floor and a three bedroom 70's loft style unit complete with spiral stair sharing the second and third floors. Though currently stable there has been some settling towards the rear resulting in a perceptible slope to the second and third floors. This building retains none of its original character and is architecturally sharply incompatible with its neighbors. It has an interior layout that would have no appeal outside the short-term student rental market.

Attached there are seven sheets with the first showing the three buildings together in context followed by three paired pages illustrating the exterior and interior existing conditions of respectively of each of the three subject properties.



View from North West



View from North East



View from South West



View from South East

119 North Butler Existing Exterior Conditions
May 7, 2007



Basement



First Floor Front LR



First Floor Front Unit Bath



First Floor Front Unit Kitchen



First Floor Rear Unit Kitchen



First Floor Rear Unit Bedroom



Front Stair



Second Floor Living Room



Second Floor Hall



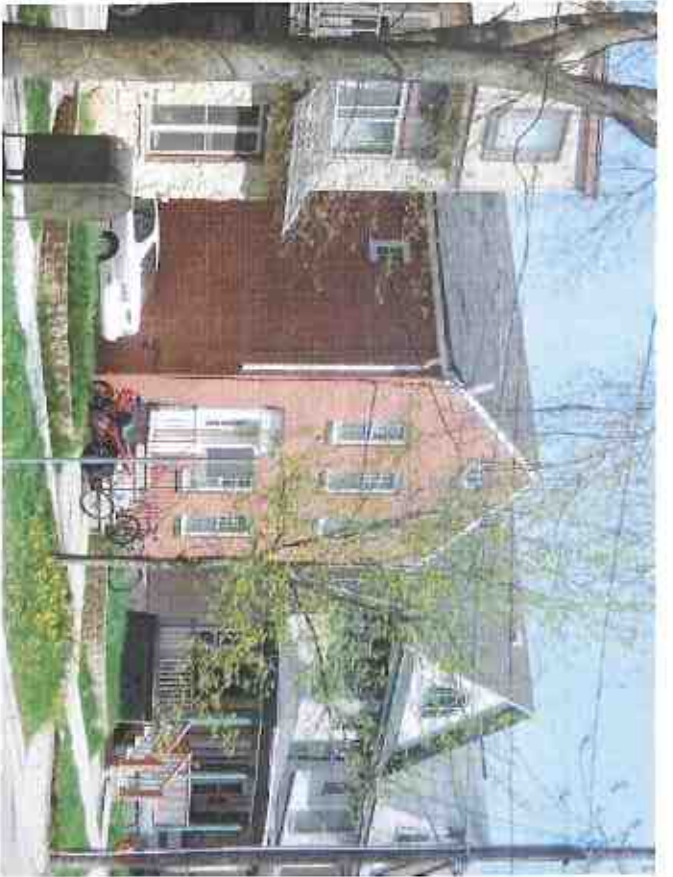
Second Floor BR



Second Floor Kitchen



Second Floor Bath



View from North West



View from North East



View from South West



View from South East

123 North Butler Existing Exterior Conditions
May 7, 2007



Stair



East/Common Entry



Basement



South Unit Kitchen



South Unit Hall/Bedroom



South Unit Living Room



North Unit Living/Bed Room



North Unit Kitchen



South Unit Bedroom

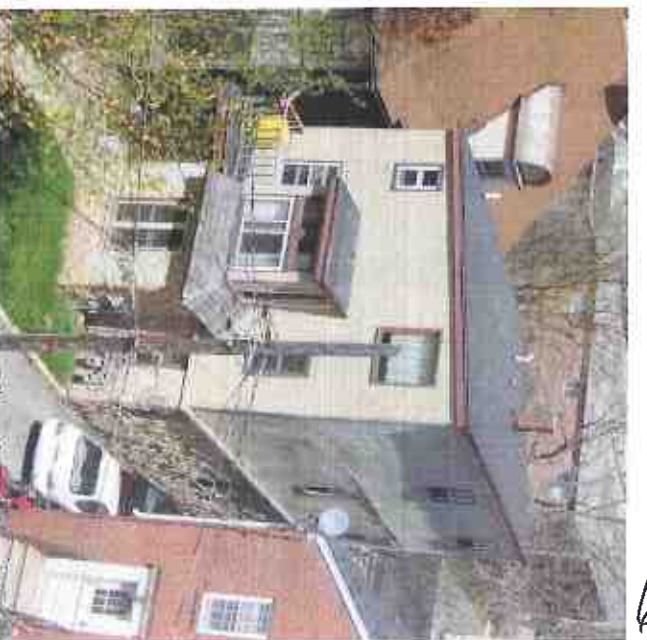
123 North Butler Existing Interior Conditions
May 7, 2007



View from North West



View from South West



View from South West



View from North East



View from South East



View from South East

125 North Butler Existing Exterior Conditions
May 7, 2007



Basement



First Floor Kitchen



First Floor Hall/LR



First Floor Living Room



Second Floor Hall



Second Floor Kitchen



Second Floor Living Room



Third Floor Bedroom



Third Floor Hall



Stair Down to 2nd Floor



Second Floor Bedroom

125 North Butler Existing Interior Conditions
May 5, 2007



Johnson/Blair from the North



Johnson/Blair from the South East



119 North Butler from from South West



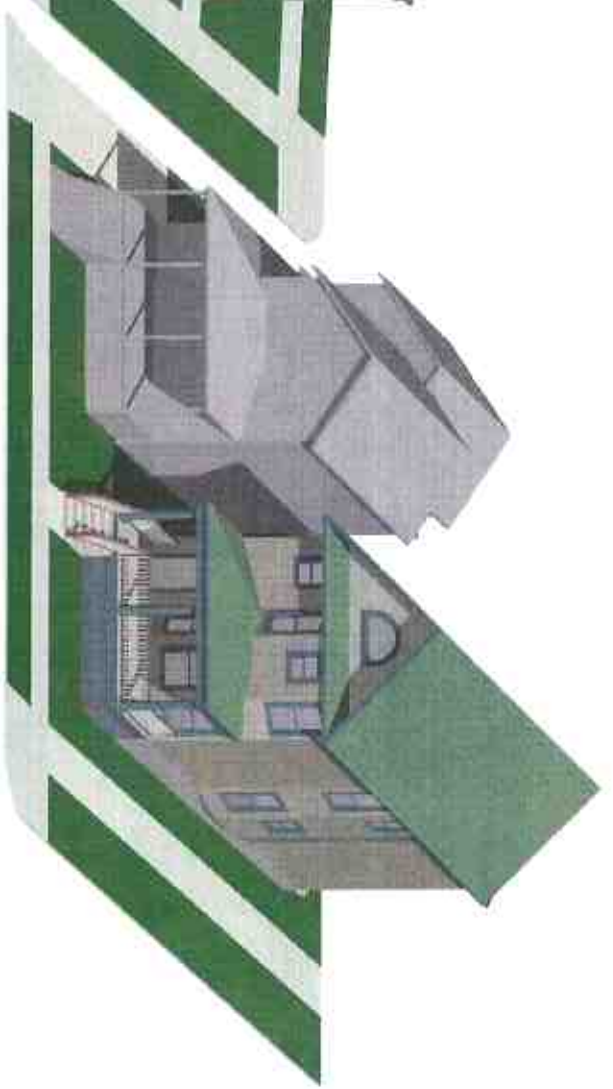
119 North Butler from from North East



West



North



South



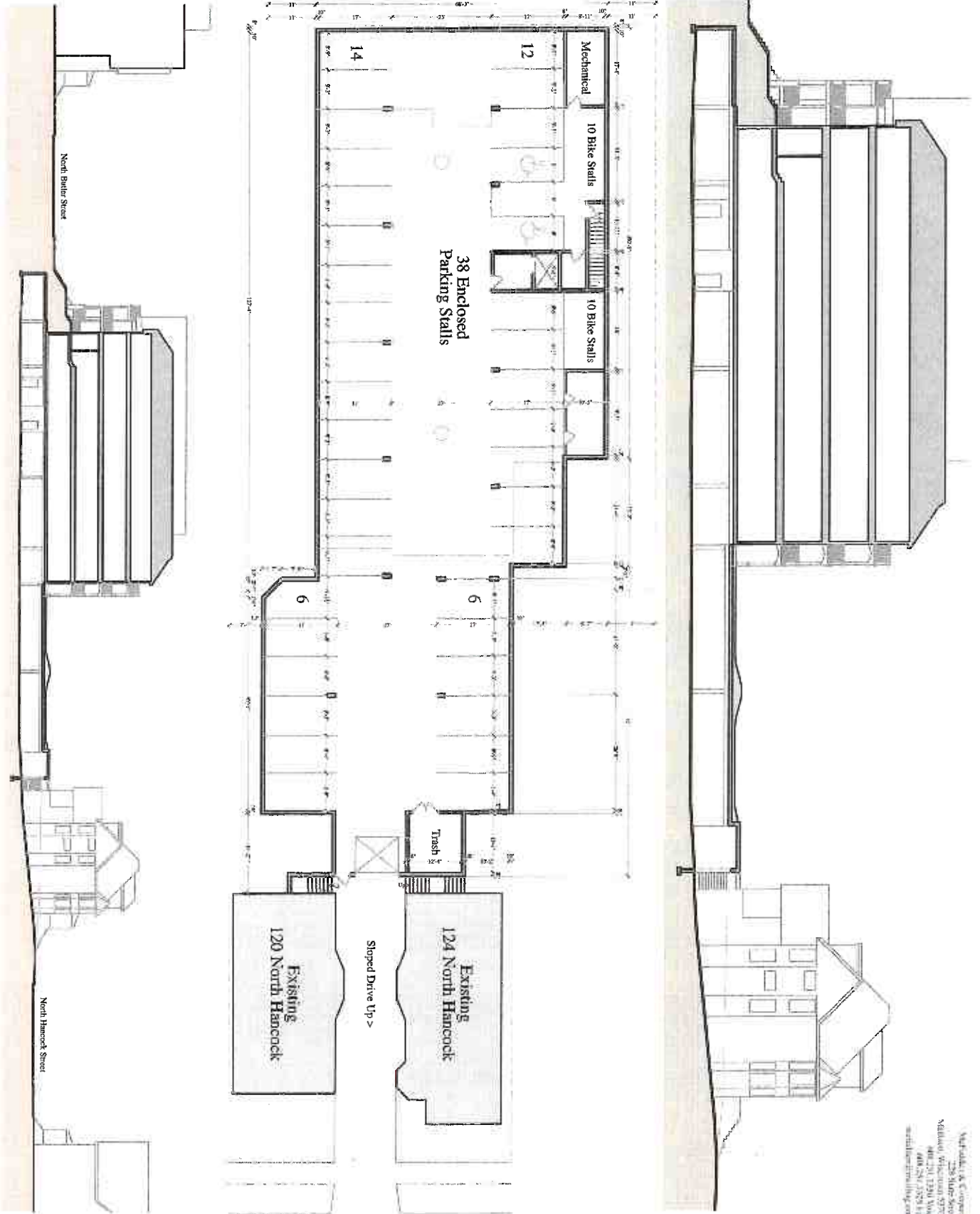
East



Existing Site Data:
 20,625 SF Property
 5,806 SF (28.2%) Residential Building Coverage
 7,534 SF (36.5%) Total Building Coverage
 11,934 SF (57.8%) Garages & Drives - 21 Plus Stalls
 1,516 SF (7.4%) Useable Open Space
 1,369 SF (6.6%) Walks, Balconies & Front Yards

Existing Site Plan @ 1" = 30'
 119-25 North Butler
 January 2, 2008

North Butler Street

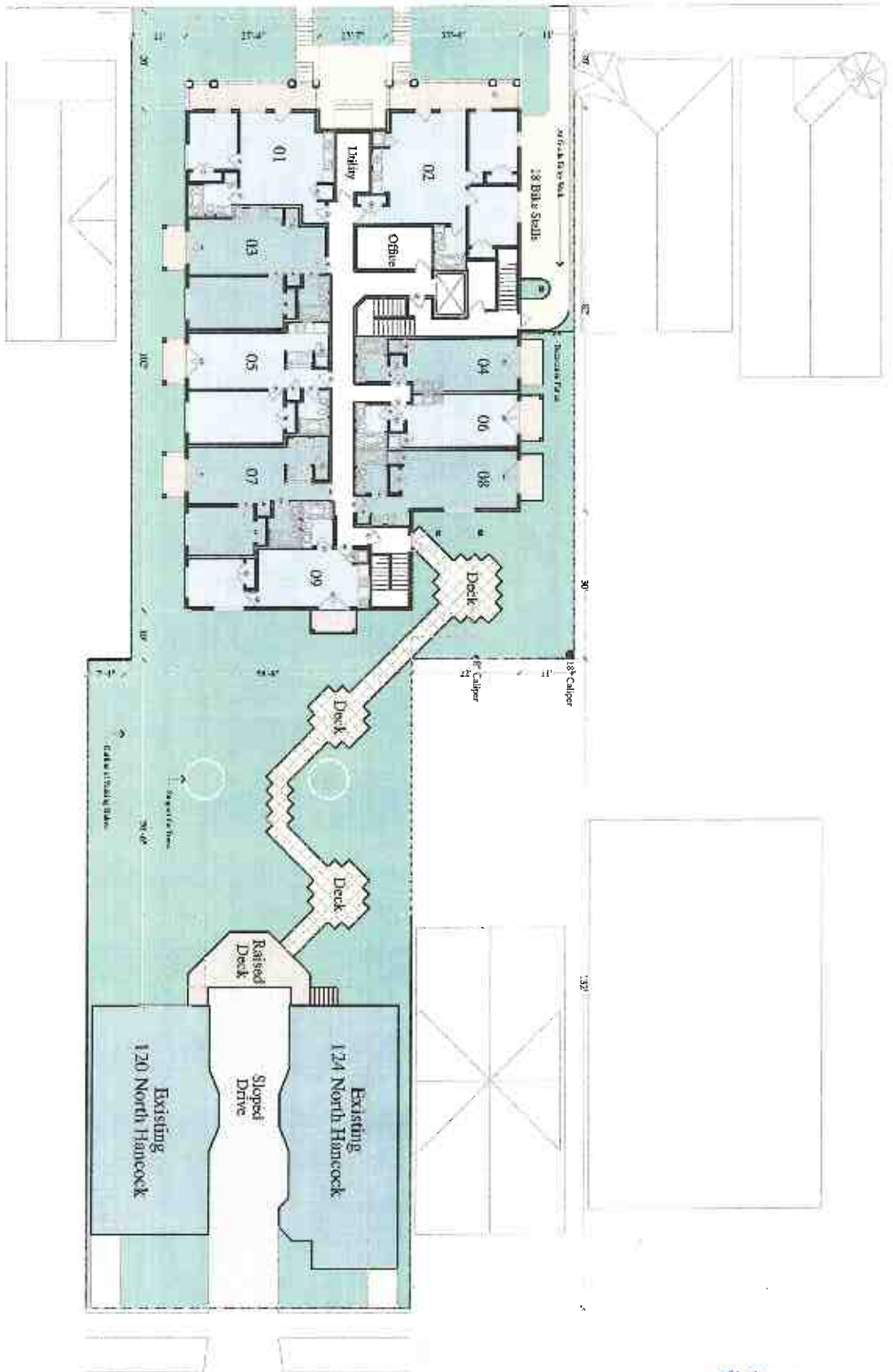


North Hancock Street

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Proposed Parking Level Plan @ 1" = 30'
 119-25 North Butler
 January 2, 2008

North Butler Street



North Hancock Street

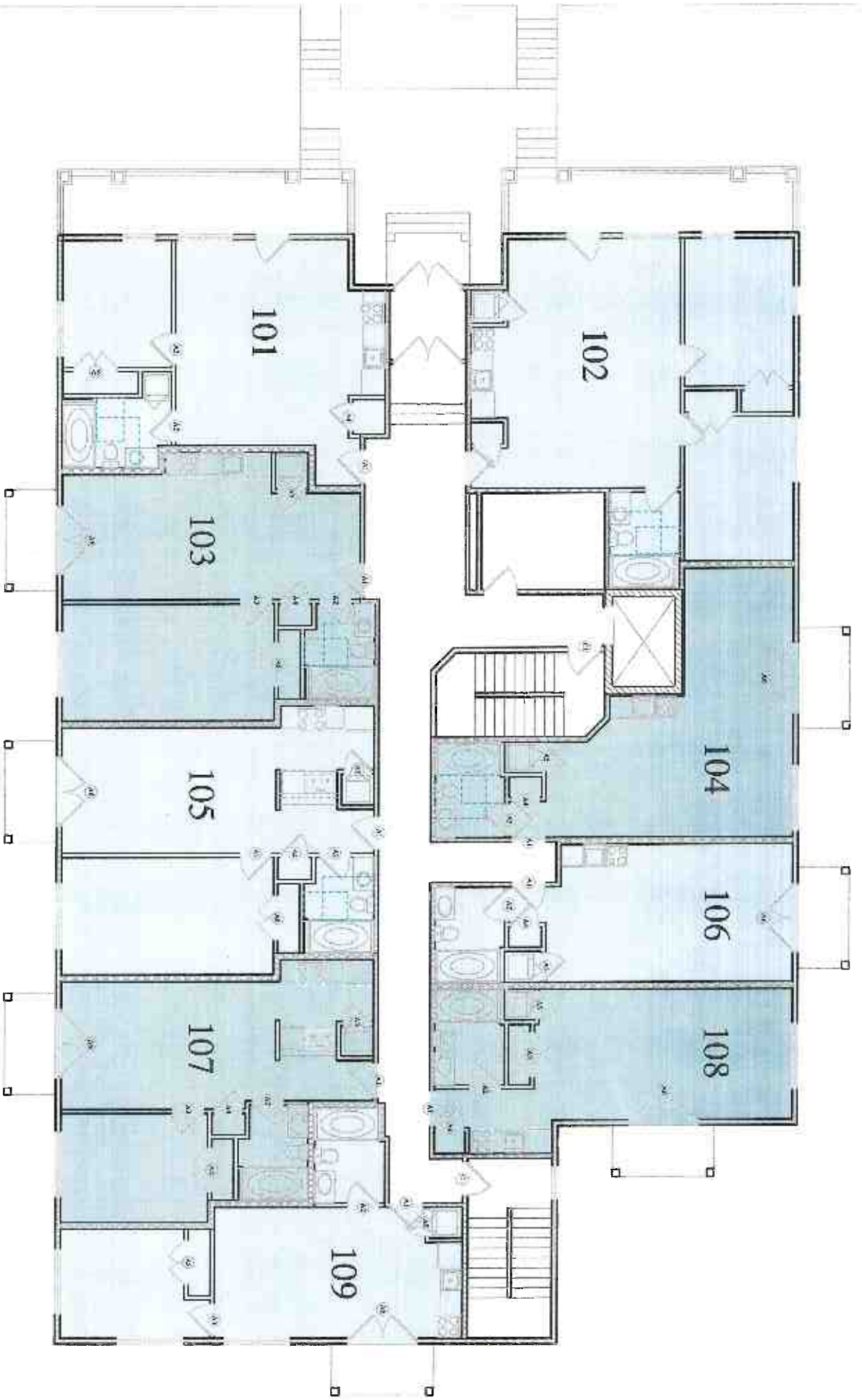


Proposed Site Data:

- 20,625 SF Property
- 8,704 SF (42.7%) Residential Building Coverage
- 978 SF (4.7%) Parking Drive - 38 Stalls
- 8,110 SF (39.3%) Useable Open Space
- 2,833 SF (17.7%) Walks, Balconies & Front Yard

Proposed Ground Floor / Site Plan @ 1" = 30'

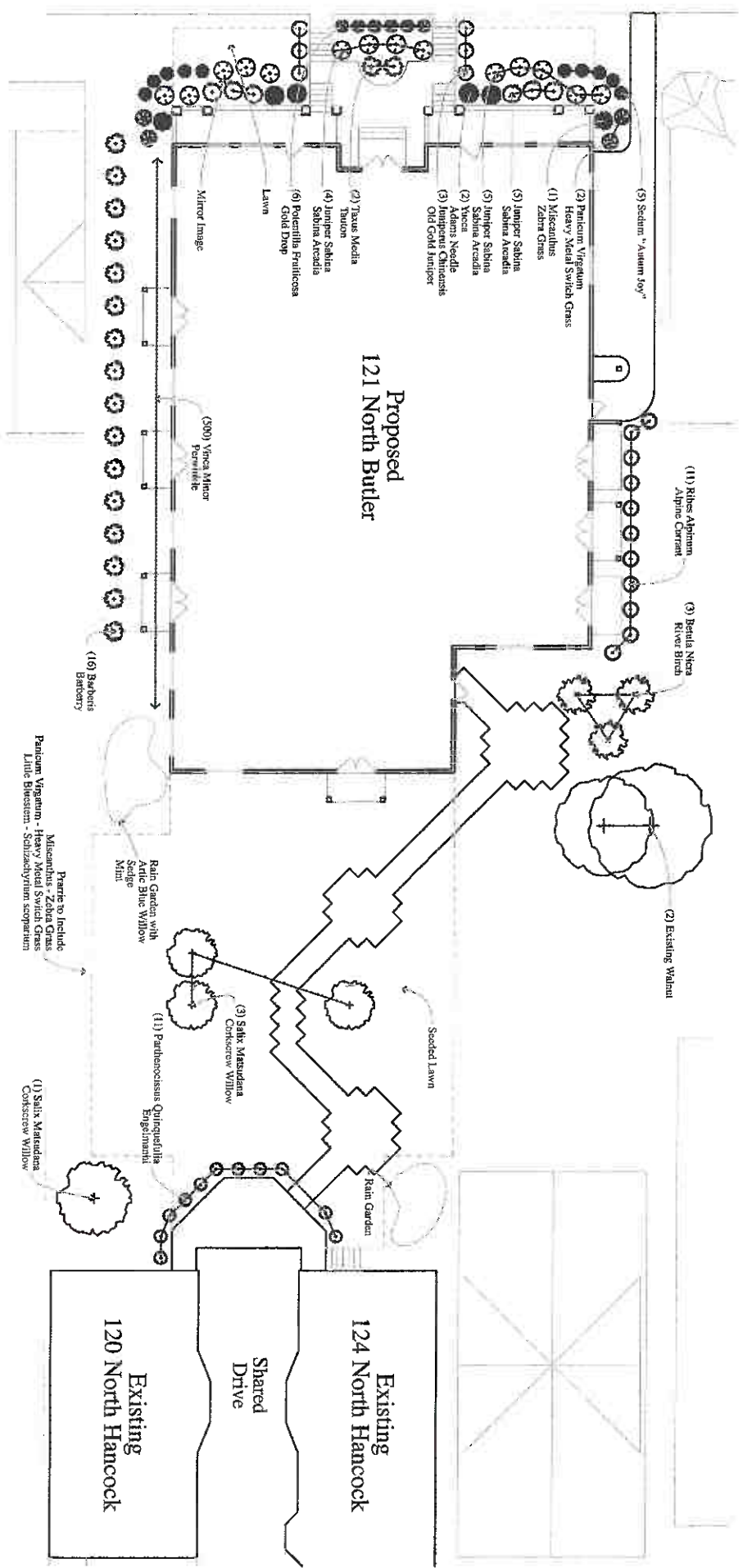
119-25 North Butler
January 2, 2008



McMillan & Kimmitt
 225 South Street
 Columbia, Missouri 65201
 616.241.1100 Voice
 616.241.1247 Fax
 www.mckimmitt.com



Proposed First Floor Plan @ 1/12" = 1'-0"
 119-25 North Butler
 January 2, 2008



Landscape Plan @ 1/24" = 1'-0"
 119-25 North Butler
 January 2, 2008



McCarthy Associates
322 85th Street
Middlesex, NJ 08901
908-201-1000
www.mccarthyassociates.com



6

West Or Butler Street Elevation @ 1/8" = 1'-0"
119-25 North Butler
January 2, 2008



6



North Elevation @ 1" = 12'
119-25 North Butler
January 2, 2008



South Elevation @ 1" = 12'
119-25 North Butler
January 2, 2008



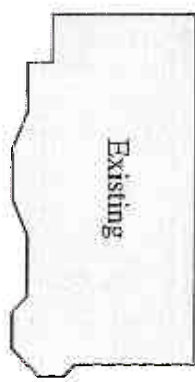
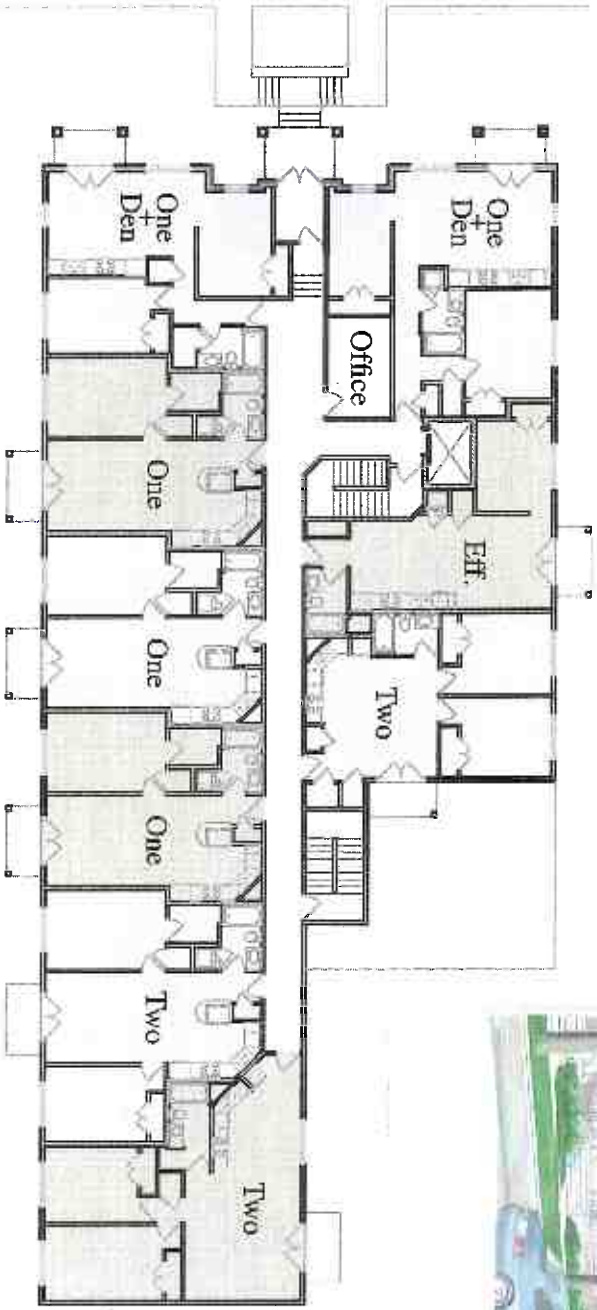
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Proposed East Elevation / Garage Section @ 1" = 10'
119-25 North Butler
January 2, 2008

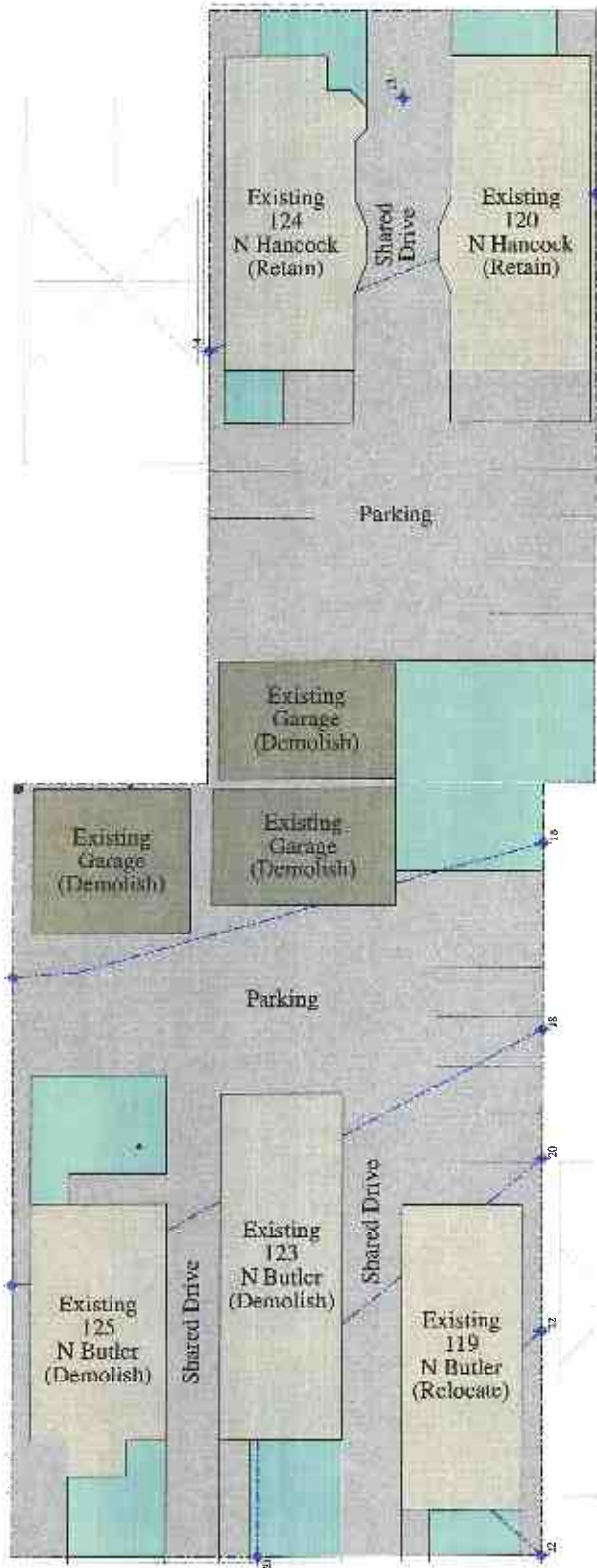


Rendering



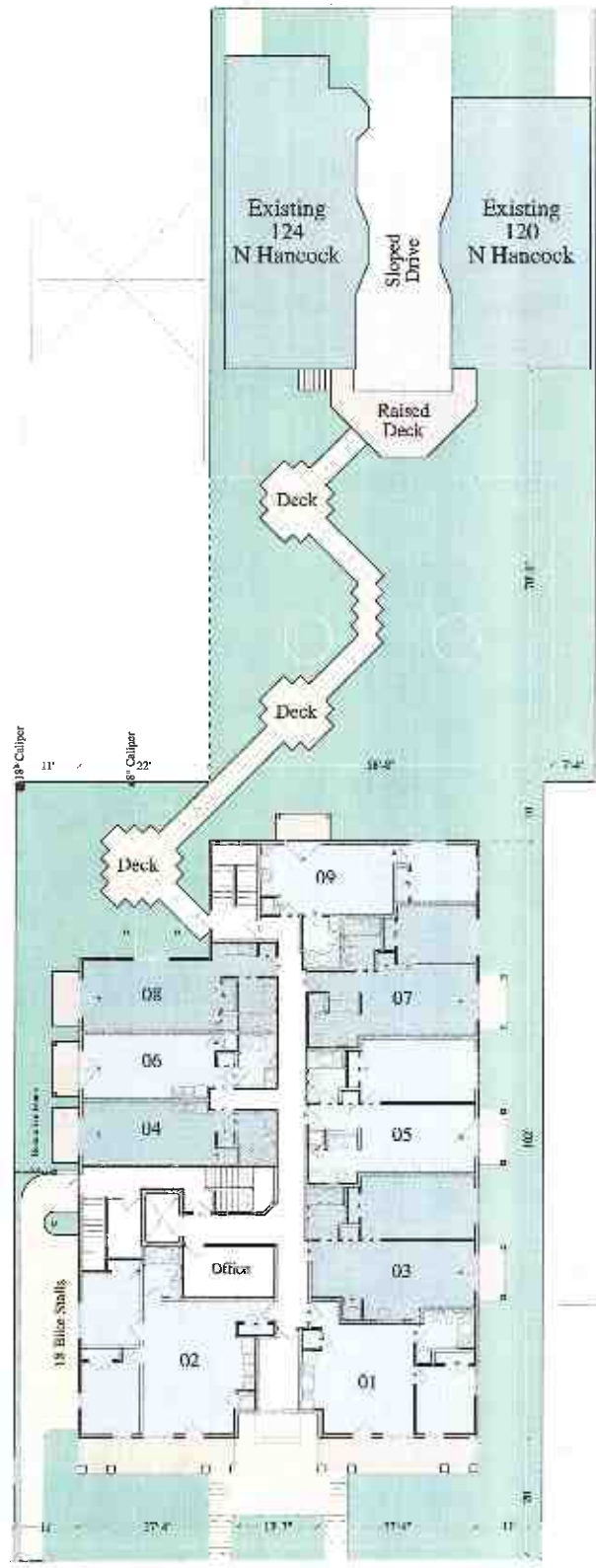
First Floor Plan @ 1/12" = 1'-0"

Initial March 17, 2007 Plan & Rendering
 119-25 North Butler
 January 2, 2008



Existing Site

20,625 SF Property
 7,534 SF (36.5%) Building Coverage
 11,934 SF (57.8%) Garages & Drives - 21 Plus Stalls
 1,516 SF (7.4%) Useable Open Space
 1,369 SF (6.6%) Walks, Balconies & Front Yard



Proposed Site

20,625 SF Property
 8,704 SF (42.7%) Building Coverage
 978 SF (4.7%) Drive - 38 Stalls
 8,110 SF (39.3%) Useable Open Space
 2,833 SF (17.7%) Walks, Balconies & Front Yard

6