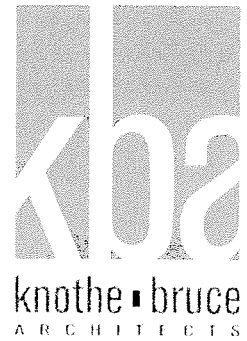


September 19, 2018

Ms. Heather Stouder  
Department of Planning & Development  
City of Madison  
146 S. Hamilton Street  
PO Box 2985  
Madison, Wisconsin 53701



Re: Letter of Intent  
222 N. Charter St.  
**KBA Project # 1304**

Ms. Heather Stouder:

The following is submitted together with the plans for Plan Commission and staff review.

**Organizational structure:**

Owner: Stoppel Revocable Trust  
1202 Regent St.  
Madison, WI 53715  
608-268-4912  
Contact: Jim Stoppel  
[jim@madisonproperty.com](mailto:jim@madisonproperty.com)

Landscape Design: Ken Saiki Design  
1110 S. Park St.  
Madison, WI 53715  
(608) 251-3600  
Contact: Ken Saiki  
[ksaiki@ksd-la.com](mailto:ksaiki@ksd-la.com)

Engineer: Vierbicher Associates, Inc.  
999 Fourier Drive, Suite 201  
Madison, WI 53717  
(608) 826-0532  
Contact: Joe Doyle  
[jdoyle@vierbicher.com](mailto:jdoyle@vierbicher.com)

Architect: Knothe & Bruce Architects, LLC  
7601 University Avenue, Ste 201  
Middleton, WI 53562  
608-836-3690  
Contact: Randy Bruce  
[rbruce@knothebruce.com](mailto:rbruce@knothebruce.com)

**Introduction:**

The subject property is located at 222 N. Charter St. This proposal requests a rezoning from TR-U2 zoning to Planned Development zoning to allow the development of a student housing building consistent with the Regent Street - South Campus Neighborhood Plan. The building will bring additional high-quality housing for the UW students to the edge of the UW campus and further reduce the impacts of student housing on the Vilas and Capitol neighborhoods.

Accompanying this letter is a memorandum dated September 19, 2018 outlining how this project complies with the City's Comprehensive Plan and the Regent Street – South Campus Neighborhood Plan. Also included is a letter of the same date from Jeff Vercauteren that specifically addresses how the project meets the standards for Planned Development zoning.

**Project Description:**

The proposed project is a 12-story student housing building located on Charter Street between W. Johnson St. and W. Dayton St. The location is ideally located to serve the UW students and allows students to walk to most of their destinations.

The small site is efficiently utilized. To lighten the buildings footprint, the first floor is smaller than the upper levels and an arcade surrounds most of the west, south and east elevations. At the northeast corner of the building the arcade provides for the main pedestrian's entry. At the southern face of the building the arcade forms a covered porch for the resident's use taking advantage of the southern exposure and open space that the rail corridor provides. Based on feedback from the Urban Design commission, the current design brings the all-glass wall of the common room to the Charter Street face of the building and interrupting the arcade along Charter Street.

The building has a clearly defined three and four-story base defined by the smooth cast stone masonry with expansive windows. The mid-levels use an exterior of brick, architectural composite metal panels and the break from the building base is further defined along Charter Street with a one-foot offset. The top of the building is also clearly defined and covered in the architectural metal panel. The building steps back at the 12<sup>th</sup> floor to provide a common room for study and social gatherings that opens onto a generous rooftop terrace. In addition to the open space provided at the rooftop terrace and ground floor level arcade, usable balconies are provided for most apartments.

Bicycle parking is predominately located in the basement with access obtained either from the elevator or a bike ramp along the south stairway. Guest bike and moped parking is also provided under the arcade on the front and rear of the building as is a short-term loading zone on the southeast corner.

**Site Development Data:**

Densities:

Total Lot Area	5,812 S.F. / .1334 Acres
Dwelling Units	43 units
Bedrooms	96 bedrooms
Density	322 units/ac or 719 bedrooms/ac

Lot Coverage	4,848 S.F. (83.4%)
Usable Open Space	2,451 S.F.

Building Height	12 stories
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Dwelling Unit Mix:

One Bedroom	11
Two Bedroom	21
Three Bedroom	1
<u>Four Bedroom</u>	<u>10</u>
Total Dwelling Units	43

Bicycle & Moped Parking:

Bike Surface	4 stalls
Bike Surface Guest	4 stalls
Moped Surface	16 stalls
Bike Underground Garage – Wall Hung	46 stalls
<u>Bike Underground Garage STD. 2'x6'</u>	<u>47 stalls</u>
Total	117 stall

**Project Schedule:**

It is anticipated to begin construction in Spring 2019 with completion scheduled for Spring 2020.

Thank you for your time reviewing our proposal.

Sincerely,



J. Randy Bruce, AIA

# MEMORANDUM

**Date:** September 19, 2018

**To:** City of Madison Plan Commission

**From:** Alan Fish, WhiteFish Partners  
Bill White, WhiteFish Partners  
Jeff Vercauteren, Husch Blackwell LLP

**Re:** 222 N. Charter St. Project – Policy and Plan Compliance

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On behalf of Stopple Revocable Trust, we are resubmitting the above-listed project for consideration of a zoning map amendment and demolition permit. The proposal complies with the overall policy goals of the City’s Comprehensive Plan and the Regent Street-South Campus Neighborhood Plan to develop high-density student housing at this location.

We have incorporated design elements that achieve many of the same pedestrian benefits encouraged by setback and stepback guidelines. Without this project, a bike path connection between Union South and the Southwest Bike Path at Park Street will not be possible. We believe the significant policy directives accomplished by this project support the standards for approval. Additionally, the project complies with the height, setback and stepback recommendations of the neighborhood plan.

**1. The Project Achieves Significant Policy and Plan Goals, Including the Creation of a Multi-Use Path and Increased Housing Density North of Dayton Street.**

The timeline below outlines the project team’s work to achieve the City’s policy and plan goals:

- In 2016 and 2017, Madison Property Management worked on a 12-story, 43-unit furnished apartment project replacing a 2.5-story house on a 5,784 sq. ft. lot where North Charter Street intersects with the railroad corridor.
- An informational presentation to the Plan Commission on October 16, 2017 was advised to discuss the land use in the context of the 2008 Regent Street-South Campus Neighborhood Plan. The plan’s principal policy direction was to build more high-density student housing in the northern areas of the plan boundary near campus to create opportunities for converting rental housing in the Vilas Neighborhood back to owner-occupied residences. The Plan Commission members focused on bicycle and moped parking issues and did not comment on height, density or setback issues.

- Significant discussions with city staff focused on the specific setback and stepback guidelines in the neighborhood plan. The plan recommends a 10-foot setback on Charter Street with an additional stepback of 15 feet above the third floor. Another 10-foot setback is recommended along the railroad right-of-way. If applied here, these guidelines would preclude the development of high-density student housing on this site. Meanwhile, Dayton Street profiles in the plan allow for higher densities and minimal setbacks.
- Also in 2017, the City completed the Housing Strategies report recommending high-density student housing in three neighborhoods near campus including the Regent Street/South Campus area because “the combination of limited parking and low rates of student car ownership increase the importance of proximity to campus to allow walking, biking, and transit commuting.” This site is ideal for high-density student housing and has no historic buildings at risk as in other areas near campus.
- In December 2017, the City Attorney, Traffic Engineering, Engineering and Planning revealed for the first time, a 1970s reservation they hoped to use to complete a bike path from Orchard Street to Park Street along the railroad right-of-way through this lot.
- Stepbacks and setbacks are meant to improve the pedestrian experience but there are alternatives which can also positively affect pedestrian impressions including activated spaces on the ground level, covered arcades and outdoor seating, and raised first-floor ceilings. All of these design tools were included in the final proposal plus incorporating the bike path into the building. The design did not meet the rigid setback and stepback recommendations of the neighborhood plan but it did respond to their intent to create a positive pedestrian experience.
- The development team redesigned the ground floor to accommodate a 14-foot bike path underneath the building which was accepted by Engineering. This project design is the only way a bike path extension through the property can be built because the existing house is in the proposed right-of-way.
- The UW Madison campus has wanted to acquire the property and consolidate the real estate on the block but has not been able to offer a market price. They oppose this development because they want to acquire the property and know a new development will make it more difficult and costly to acquire it later.
- On February 21, 2018, the Urban Design Commission gave final approval for the project. It included the integrated bike path, activated space and covered arcade with an elevated first floor height. On March 19, 2018, the Plan Commission placed the project on file without prejudice on a voice vote. They concluded the project was too dense for the site, did not meet the requirements for PD zoning, and did not follow the setback and stepback recommendations in the neighborhood plan.
- We believe that upon further review of the updated project plan and further consideration of the policy goals identified in the Comprehensive Plan and the Neighborhood Plan, the Plan Commission will conclude that the proposal is appropriate for this site and complies with the plan and policy directives outlined above.

## 2. The Project is Consistent with the Goals and Recommendations of the Regent Street-South Campus Neighborhood Plan and the UW Campus Master Plan.

A major goal of the Neighborhood Plan and the Campus Master Plan is increasing housing in the area north of Regent Street to further support transformation of student housing in the surrounding neighborhoods of Vilas, Greenbush, and Regent to owner-occupied housing units. To achieve this goal, the Plans recommend higher density housing north of Dayton Street, as shown on the map below from the Neighborhood Plan:



These building heights were chosen to best capitalize on the intensity of use within the area while respecting the surrounding built environment. To that end, the highest heights were identified in the northernmost part of the planning area. This was done because any future redevelopment or infill opportunities should be tall enough to blend with existing UW facilities. This northernmost section, between Dayton and Johnson Streets, has a maximum building height of 12 stories.

The Neighborhood Plan includes detailed Design Guidelines intended to provide new development and alterations to existing structures with clear expectations and standards that will foster the type of walkable, urban environment desired for the neighborhood. The Plan includes overall guidelines and five special design districts. The Plan is very specific relative to setbacks and stepbacks in each of these five special districts that cover the areas **south of Dayton Street** but does not include the area **north of Dayton Street**.

For example, in 2012, the City approved a six-story project at 202-206 North Brooks Street that has no setback or stepback on North Brooks Street or North Dayton Street. Similar to the 222

North Charter Street parcel, that property is located in the area **north of Dayton Street**. Accordingly, the staff report for that project did not discuss setback or stepback requirements and, consistent with the Neighborhood Plan, **no setback or stepback requirements applied**.

In contrast, in 2010, a new 75-unit project was built at 1208-1214 Spring Street. That property is located in the area **south of Dayton Street**. Pursuant to the Neighborhood Plan, **setback and stepback requirements applied**, and that project included a 10 foot setback and a stepback above the third floor.

Accordingly, consistent with the Neighborhood Plan, as illustrated above, **no setback or stepback requirements apply** to the proposed project at 222 North Charter Street because the project is in the area **north of Dayton Street**.

# HUSCH BLACKWELL

Jeffrey L. Vercauteren  
Partner

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Madison, WI 53701-1379  
Direct: 608.234.6052  
Fax: 608.258.7138  
Jeff.Vercauteren@huschblackwell.com

September 19, 2018

Natalie Erdman, Director  
Department of Planning, Community & Economic Development  
126 South Hamilton Street  
Madison, WI 53701

## **Re: Request for Zoning Map Amendment – 222 North Charter Street**

Ms. Erdman:

On behalf of Stoppel Revocable Trust, we are requesting a zoning map amendment to rezone the property at 222 North Charter Street to the Planned Development District to allow the development of a 12-story, 43-unit apartment building on the site.

The proposal advances the goals of the Regent Street-South Campus Neighborhood Plan to move student housing closer to campus and to create opportunities for additional owner-occupied housing in the Greenbush and Vilas Neighborhoods. The proposal also provides a critical connection between the Southwest Path, Union South and University Avenue by constructing a portion of a multi-use bicycle and pedestrian path that would not occur without redevelopment.

**The proposal meets the standards for rezoning to the Planned Development District.** In particular, the proposal would advance the purposes of the Planned Development District by:

- Enhancing pedestrian, bicycle and transit connections and amenities;
  - *See* MGO 28.098(1)(b): The Planned Development District is intended to achieve the “promotion of integrated land uses allowing for a mixture of residential, commercial and public facilities along corridors and in transitional areas, with enhanced pedestrian, bicycle and transit connections and amenities.”
- Facilitating high-quality development consistent with the goals and objectives of the Comprehensive Plan and the Neighborhood Plan.
  - *See* MGO 28.098(1)(f): The Planned Development District is intended to achieve the “facilitation of high-quality development that is consistent with the goals, objectives, policies and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.”

More specifically, the project satisfies the standards for approval of a zoning map amendment for a Planned Development District under MGO 28.098(2) as follows:



- A. *No other base zoning district can be used to achieve a substantially similar pattern of development.*** The existing TR-U2 (Traditional Residential-Urban) district does not allow adequate density to support the redevelopment of this infill site that includes the construction of 43 high-quality apartment units and the creation of a multi-use path on this site. The current zoning would limit redevelopment to a 3-4 story building with 6-9 units, which would not be feasible due to the cost to construct a portion of the building over the multi-use path. The above purposes of the Planned Development District would not be met without redevelopment of this site.
- B. *The PD District plan facilitates the redevelopment goals of the Comprehensive Plan and the Neighborhood Plan.*** The Comprehensive Plan encourages private uses in the Campus Institutional district that are compatible with university uses. The proposed project will add new high-quality student housing in a part of campus that is currently underserved by similar housing options, particularly for Engineering, Chemistry and Computer Sciences students located a further distance from campus housing options.

Additionally, the Neighborhood Plan encourages increased student housing density north of Regent Street to enhance single-family neighborhoods south of Regent Street, and also encourages uses complementary to adjacent university uses. The setback and stepback guidelines in the Plan applicable to the portion of Charter Street south of Dayton Street do not apply to the project site. Instead, the plan includes a higher maximum height and no stepback guideline north of Dayton Street.

- C. *The PD District plan does not adversely affect the economic health of the City or the area of the City where the development is proposed.*** The redevelopment will be served by existing City utilities and will substantially improve the economic contribution of this site to the City by providing high-quality housing on an underutilized parcel in a primary transportation corridor. This project, with 43 apartment units, can be financially sustainable with high-quality construction materials and without use of TIF. The project will generate significant additional property taxes beyond those generated by the current building.
- D. *The PD District plan does not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands.*** The proposed project would primarily serve university students who travel predominantly by foot, bicycle or moped. The project will include approximately 110 bicycle and moped parking stalls, providing approximately 1.1 stalls per bedroom and 2.5 stalls per unit. Residents will utilize the existing transportation corridor, including the new multi-use path to be constructed on the project site.
- E. *The PD District plan coordinates architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character***

*of the area and the statement of purpose of the PD District.* The building architecture is compatible with the surrounding university uses, as encouraged by the Comprehensive Plan and the Neighborhood Plan, and the building form uniquely allows for the installation of the new multi-use path as part of the proposed redevelopment. The building setbacks are consistent with other existing buildings on Charter Street and with the Neighborhood Plan's recommendations for the area north of Dayton Street. The building contributes to the transition from lower-density residential areas south of Dayton Street to higher-density uses north of Dayton Street, as recommended by the Neighborhood Plan.

- F. *The PD District plan includes open space suitable to the type and character of development proposed.*** The proposed building maximizes the amount of open space on the site by incorporating private balconies and a rooftop deck. The proposal also includes open space in the form of the multi-use path, which provides an important amenity to bicyclists and pedestrians and provides connections with the Southwest Path to further enhance connections to city parks and other outdoor amenities.
- G. *The PD District includes suitable assurances that each phase could be completed in a manner that would not result in an adverse effect upon the community as a result of termination at that point.*** The project will be built in a single phase.

We look forward to working with you throughout the development process. Please contact us with any questions you may have.

Sincerely,



Jeffrey L. Vercauteren