

# CAPITOL

NEIGHBORHOODS, INC.

MADISON, WISCONSIN

August 23, 2024

Plan Commission  
City of Madison

Re: 139 West Wilson Street

The developers for this proposal first brought their plans to the Bassett neighborhood in early 2022, some two and one-half years ago. Since then, the neighborhood has had many conversations with members of the development team, and we are appreciative of the time they have spent with us. However, the neighborhood has had serious concerns regarding this proposal from the beginning and most of those concerns remain.

The neighborhood's memo to the Urban Design Commission dated September 18, 2023 (item 17 in Legistar file [70108](#)) outlined several of those concerns. While the latest iteration of this proposal does attempt to address some of the concerns both the neighborhood and UDC raised at the September 2023 and January 2024 UDC meetings, many of those concerns remain. The neighborhood agrees with the UDC's January 24, 2024, recommendation to the Plan Commission to not support approval of the proposal and finds that the additional material submitted since then, specifically the Transportation Demand Management Plan and the Management Plan for resident move-in/move-out, car share, and trash and recycling servicing, do little or nothing to address those earlier concerns expressed by both the neighborhood and UDC.

We recommend that the Plan Commission deny the Conditional Use request as it fails to meet the required standards in these ways;

- We find that this 320 unit housing project on a 66 foot lot should be rejected both for its impact on the right of way and for the unacceptable quality of housing.
- In reality, this apartment building places the majority of access and parking requirements on the public right of way, severely impacting the function and safety of the adjacent two way bike corridor and the sidewalk. These right of way demands include the many daily vehicle demands for the building's maintenance, management and services and the full range of residents' needs.
- The vast majority of housing units will only have a view of the adjacent high rise buildings near the lot line on either side and residents will have no access to nearby usable green space.

For Conditional Use permits the ordinance requires that the Plan Commission find that all of the conditions of the applicable Approval Standards are met. The neighborhood does not believe that this proposal meets several of those Approval Standards.

***Approval Standard 5: Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided.***

***Approval Standard 6: Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.***

Maybe first and foremost, the driveway is simply too narrow and too limited in space to handle the amount of traffic from delivery vehicles, trash and recycling trucks, taxis, and move-in, move-out vehicles that a 320 unit building will generate on a daily basis, much of it unscheduled and not schedulable. Such traffic will likely overwhelm that space at times and lead to blockage of the sidewalk, cycle track and likely the street traffic lane.

With no parking provided for residents, there will be a steady stream of Uber, Lyft, and cabs picking up and dropping off in this space. Move ins, move outs, delivery vehicles, trash and recycling will all need to use this same space, and the development team expects one lane to remain free at all times to provide access for the shared cars housed on-site. The pedestrian lakeside access also will need to remain free at all times.

The applicant has submitted a Transportation Demand Management Plan (TDMP) to show that this proposal meets the requirements for transportation demand management. The calculator for determining how much transportation demand will likely result from the proposal is driven largely by the number of parking spaces provided. For this proposal there are only 3 parking spaces provided. So, inherently, the demand is low.

Transportation demand does not take into account any of the following: taxis, ride shares, package delivery services, food or meal delivery services, restaurant delivery services, trash and recycling services, move-in/move-out, and other regular building management and maintenance vehicular traffic. This 320 unit building is going to generate a tremendous number of vehicle visits to a building that provides no viable accommodations. The fact that there is a City compliant TDMP for this proposal is simply irrelevant to the Plan Commission's consideration of the standards for a Conditional Use approval.

The applicant has submitted a Management Plan for resident move-in/move-out, car share, and trash and recycling. The move-in/move-out section estimates an annual turnover of 96 units spread over the months of June – August. For the month of August they expect 58 units will turnover. Their plan projects that with 6 scheduled events per day of two hours each this will take 10 days. The plan indicates there is a 2 day prep window between the move-out and move-in events. So in fact each turnover generates twice the number of events noted in the management plan. Move-in/move-out in August will actually require 20 days.

This activity will be using the one parking stall allotted for delivery vehicle use and turnaround virtually every day of August for 12 hours each day. The plan does not propose how all the other uses of this limited drive will function during times of move-in/move out.

The building plans indicate on Sheet A101 that one parking stall is reserved for deliveries and for the vehicles to turn around and reenter the street in a forward direction. The submitted plans do not show the turning motions that will be required to execute this exit. Clearly turnaround will require vehicles to enter the specially marked pedestrian path to the street from the east and lake side amenity areas.

The Plan Note indicates that a Ford Transit LWB Delivery Van will be able to negotiate this turn. This size vehicle is similar to small FedEx or U Haul vans. The typical Rivian delivery vans currently in use by Amazon have a wheelbase and overall length from 1-3' longer than the Ford Transit used to evaluate a turnaround for this proposal. The typical UPS and FedEx delivery trucks have an overall length 8' longer than that Ford Transit van. Whether these longer vehicles will be able to turnaround is unclear.

Trash and recycling trucks will not be able to turn around. These trucks will be backing out across a required building exit path, the public sidewalk, a cycle track and into a heavily traveled street with a single traffic lane.

Although the developers have submitted a Transportation Demand Management Plan and the Management Plan for resident move-in/move-out, car share, and trash and recycling servicing, neither of these plans adequately addresses the issues raised with Approval Standards 5 and 6.

Resident bicycle parking: The current development proposal includes 320 bicycle parking spaces for residents. However, only 35 of these spaces are actual 2' x 6' stalls; 288 of the parking spaces are Saris parking stack system spaces. While MGO 28.141 (11) (f) states that "[u]p to 25% of bicycle parking may be structured parking, vertical parking, or wall mount parking", these stack system spaces make up nearly 90% of the proposed bicycle parking for residents. The lack of bicycle stalls that conform to city requirements is troubling, especially in a building where many tenants will be without a car due to the lack of on-site parking.

***Approval Standard 1: The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.***

As noted above the building faces onto a very busy street with a heavily used sidewalk and a cycle track, and none of the delivery, drop off and pick up activity, or trash and recycling removal can be allowed to occur in or block either the traffic lane, the cycle track, or the sidewalk in the public right-of-way. Without adequate space to turn around, vehicles backing out of the driveway will need to cross both the sidewalk and cycle track to back into a heavily used traffic lane.

For trash and recycling the Management Plan indicates that these services will be provided twice per week with each visit lasting 5-7 minutes occurring at 5:30 AM.

A condominium building a few blocks away with 53 units currently has twice weekly pickups which last for about the same duration. The suggestion that the 320 units in this building can

be serviced in a comparable manner doesn't ring true. Condominium residents do not generate 6 times the waste and recyclables of a tenant in the proposed building.

For two recently approved buildings on this same block, the Dane County Jail expansion and 131 W. Wilson, a Plan Commission condition of approval has been that trash and recycling pick up does not occur before 9:00 AM. The noise associated with this activity at 5:30 AM will be a nuisance not only for the residents of this proposed building but also for the residents of the immediately adjacent apartment building.

Snow removal from this driveway space will be problematic without blocking the public right-of-way. The neighborhood feels that the driveway space provided is simply inadequate to handle the amount of traffic that would be generated by the residents of this building.

***Approval Standard 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 concerns noted above related to Standards 5 and 6 will have spillover effects that will adversely affect adjacent properties as well as the general public using the sidewalk, cycle track and street.

***Approval Standard 8: When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation.***

The materials and design of the building exterior, while improved over the version that city staff found failed to meet city zoning requirements, is still uninspiring. A building with an exposure to John Nolen Drive needs to present a more interesting if not iconic facade as part of the downtown skyline.

At its meeting of January 24, 2024, the UDC made an Advisory Recommendation to the Plan Commission to deny this proposal. The report from that meeting includes a list of Commissioner comments regarding the proposal. Of the page and a half of comments there are only two which are positive in nature. These comments are limited to acknowledging that this iteration of the plan "is better looking" than the prior version but that the same problems noted at the previous UDC meeting remain. The balance of the comments cite problems with the design including: "I'm trying not to see a prison here ..."

John Seamon of the development team told the Bassett Neighborhood Steering Committee meeting on August 14, 2024, that the developers have made no substantive changes to their plans to address concerns associated with Approval Standard 8. He stated that their plan is to "present the design as we have it to Plan Commission and let them decide."

The neighborhood is concerned that two elevators are not adequate to serve a sixteen story building with 320 units, neither during normal traffic days nor during days that involve tenant move ins and move outs.

The three shared cars to be housed on site seems to be an inadequate number to serve 320 units.

The interior design, with one long hallway with no articulation on each floor with micro-units on both sides, **none of which will have operable windows**, seems to be a design for dismal living conditions, especially considering that some of these units will face the neighboring building which will be a mere ten feet away.

The neighborhood has had a large number of frank and open discussions with Mr. Seamon of the development team, and we very much appreciate the time he has taken to listen to our concerns. That said, given the number and extent of the concerns this proposal raises and their potential impact on both the surrounding area and the potential residents of this building, we feel that the current proposal is not an acceptable design for this space at this location and we cannot support this proposal in its current form.

We urge the Plan Commission to find that a number of the Approval Standards have not been met and to deny the request for a Conditional Use permit.

Thank you for your consideration.

Jonathan Cooper, Anne Monks, and Peter Ostlind  
for the Bassett Neighborhood Steering Committee,  
Capitol Neighborhoods, Inc.