



800 City Hall, 200 E. Wells St., Milwaukee, WI 53202, Telephone 414-286-2601, Fax 414-286-8550

## MEMORANDUM

TO: Alderman Nik Kovac

FROM: Thomas O. Gartner, Assistant City Attorney

DATE: May 14, 2012

RE: Northwest Quadrant Housing Advisory Board

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The Board of Regents of the UW System on behalf of the University of Wisconsin-Milwaukee (“UWM”) acquired the Northwest Quadrant (“NWQ”) (formerly Columbia St. Mary’s) in December of 2010 for inclusion in the larger UWM campus. UWM has engaged in discussions with the Mariner Neighborhood Association regarding plans for the use of the NWQ and has forwarded the letter attached as Exhibit A to summarize those plans and UWM’s “. . . commitment that, should UWM develop plans to expand student housing beyond 90 students, it will first seek a public hearing and advisory ruling by an appropriate City body regarding that expansion . . .”

The letter and commitment have been provided by UWM in conjunction with the proposed rezoning of the MWQ from Planned Development to Institutional pending under Common Council File No. 101472.

The purpose of this memorandum is to summarize our current thinking regarding the designation or creation of an appropriate body to undertake such a review. At present, the powers and authority of the Board of Zoning Appeals and the Plan Commission are not sufficiently broad to encompass the type of advisory review and recommendation which may be sought in the future by UWM and the Mariner Neighborhood Association regarding dormitory and student residential facilities in the NWQ and thus Common Council action will be required in the future to allocate the responsibility for such actions. Given the fact that Common Council action is required in any event, it may make sense for the Common Council to consider the creation of a Northwest Quadrant Housing Advisory Board charged with the narrow responsibility of conducting meetings and public hearings and

making recommendations regarding future such uses. A preliminary draft of such an ordinance is attached as Exhibit B.

Currently, UWM proposes use of the Columbia Nursing Building (now Honors College) for up to 90 Honors College dormitory beds beginning in 2016. In the event that UWM proposes future expansion of that dormitory use the commitment letter and the draft ordinance contemplate review of that proposal and a recommendation based on relevant data, which could include data such as that available from the UWM Police Department, UWM Dean of Student's Office, UWM Neighborhood Relations, Milwaukee Police Department and other appropriate sources.

Conceivably, UWM could formulate a proposal for different types of student residential facilities and, in that instance, the City could incorporate references to additional criteria applicable to the specific type of project proposed by UWM into the final form of an ordinance introduced to the Common Council for approval.

Given the fact that the current plans of UWM do not contemplate commencement use of the Honors College dormitory beds prior to 2016 and the fact that any expansion would necessarily take place in future years it is probably premature to proceed with the creation of a Northwest Quadrant Housing Advisory Board or similar body at the present time. At such time as UWM comes forward with proposals for additional dormitory or student residential facilities in the NWQ the Common Council can take such action as it deems appropriate. This memorandum is, once again, prepared simply to memorialize our current thinking with respect to such a review process.

c: William Werner, President, Mariner Neighborhood Association  
Christy Brown, Vice Chancellor for Finance & Administrative Affairs  
Michael Laliberte, Vice Chancellor for Student Affairs  
Tomas Luljak, Vice Chancellor for University Relations  
Robin Van Harpen, Director, Office of Legal Affairs

1050-2010-2764:180918

May \_\_, 2012

Dear Neighbors, City of Milwaukee Representatives, and Community Members:

I am writing regarding UWM's plans for the use and development of the Northwest Quadrant ("NWQ) (formerly Columbia St. Mary's). As discussed with various neighborhood and community representatives over the past year, UWM's plans for NWQ have solidified greatly since NWQ was acquired by the Board of Regents of the UW System in December of 2010. Due to changing demands and the development of student housing in other locations, prior proposals to use NWQ to house large numbers of students have been abandoned. Instead, UWM plans to use the existing buildings largely for academic purposes and student service operations, including the Honors College and the UWM Children's Center. The only current plans for student housing at NWQ consist of housing for a limited number of Honors students, no sooner than September 2016.

UWM understands that the Mariner Neighborhood Association supports the use of the former Columbia Nursing Building (now Honors College) for up to 90 Honors College dormitory beds beginning in 2016 and, upon review, the ultimate expansion of dormitory beds at NWQ to 200 beds, in the Honors College. Therefore, I am now publicly expressing UWM's commitment that, should UWM develop plans to expand student housing beyond 90 students, it will first seek a public hearing and advisory ruling by an appropriate City body regarding that expansion, in addition to complying with any applicable zoning requirements which apply to the construction or renovation of facilities. It is intended that this hearing process take into account relevant data available from the UWM Police Department, UWM Dean of Students Office, UWM Neighborhood Relations, Milwaukee Police Department, and other reliable sources. UWM will then undertake good faith efforts to ensure that the advisory ruling of the City body be considered and incorporated into the applicable State of Wisconsin Environmental Impact Assessment conducted and decisions made under the Wisconsin Environmental Policy Act (WEPA), Wis. Stat. § 1.11. UWM intends to make this commitment for ten years from the date of signing; prior to the end of this period, UWM will consult with the Mariner Neighborhood Association or any successor, and the appropriate City body, and will then determine whether the commitment should be further extended.

As we have stated in the past, UWM is committed to an ongoing relationship with the neighbors surrounding UWM that is characterized by mutual respect and a spirit of collaboration. This includes working with the Mariner Neighborhood Association on an ongoing basis to address

any concerns that arise from the operation of dormitory spaces at NWQ. We deeply value the constructive dialogue we have had regarding UWM's acquisition and use of NWQ to date, and we look forward to many more years of working together constructively for the mutual benefit of the City, the neighborhood and UWM.

Sincerely,

Michael R. Lovell  
Chancellor

cc: Mayor Tom Barrett  
City Attorney Grant Langley  
Nik Kovac, Alderman  
William Werner, President, Mariner Neighborhood Association  
Christy Brown, Vice Chancellor for Finance & Administrative Affairs  
Michael Laliberte, Vice Chancellor for Student Affairs  
Thomas Luljak, Vice Chancellor for University Relations  
Robin Van Harpen, Director, Office of Legal Affairs

**EXHIBIT "B"**

**(Draft Ordinance)**

Chapter 3 \_\_\_\_\_

Northwest Quadrant Housing Advisory Board Part 1. Chapter 3 \_\_\_\_\_ of the code is created to read:

3\_\_\_\_-1. Establishment; Purpose. There is hereby established a Northwest Quadrant Housing Advisory Board to conduct meetings and public hearings to review proposals for the development, redevelopment and use of the former Columbia St. Mary's Hospital Complex, currently owned by the State of Wisconsin for the benefit of the University of Wisconsin-Milwaukee ("UWM") and known as the Northwest Quadrant ("NWQ"), for dormitory and student residential facilities and to make recommendations to UWM and the University of Wisconsin Board of Regents regarding the development, redevelopment and use of the NWQ for such purposes.

3\_\_\_\_-3. Administration. The Northwest Quadrant Housing Advisory Board shall be administered by the [Office of the City Clerk]. The [Office of the City Clerk], guided by the recommendations of the Board, shall:

1. Provide administrative and staff services to the Board.
2. Develop appropriate rules, procedures and guidelines for the conduct of meetings and public hearings.
3. Establish criteria for the formulation of recommendations to UWM and the Board of Regents regarding the development, redevelopment and use of the NWQ for dormitories and student housing facilities. The criteria shall take into account relevant data available from the UWM Police Department, UWM Dean of Students Office, UWM Neighborhood Relations, Milwaukee Police Department, and other appropriate sources.

3\_\_\_\_-5. Northwest Quadrant Housing Advisory Board.

1. Created. There is created a Northwest Quadrant Housing Advisory Board consisting of the following \_\_\_\_\_ (Insert Number) members who shall serve staggered 2-year terms.

[a-2 \_\_\_\_ Member(s) appointed by the Mayor.]

[a-3 A (insert area of expertise) appointed by the common council president.]

[a-4 \_\_\_\_ Member(s) appointed by UWM.]

[a-5 \_\_\_ Members appointed by the \_\_\_\_\_ Association.]

b. The [Mayor] shall designate the chair and vice-chair and the [City Clerk] shall designate the secretary.

2. Duties. The Northwest Quadrant Housing Advisory Board shall:

- a. Evaluate proposals for the development, redevelopment and use of the NWQ for dormitories and student housing facilities. [Insert a "trigger" for commencement of the evaluation process, *e.g.*, no evaluation should be required if the local neighborhood association support the proposal.]
- b. Make recommendations to UWM and the Board of Regents regarding the development, redevelopment and use of the NWQ for dormitories and student housing facilities.
- c. [Participate in Environmental Impact Assessments for such proposals.]

3. Staffing. The Office of the City Clerk shall provide staff support to the Board.

Part 2. For purposes of staggering the terms of the members of the Northwest Quadrant Housing Advisory Board, members shall be initially appointed under s. 3\_\_\_5 as follows:

- a. One-year terms for members appointed under s. 3\_\_\_ - \_\_\_ and 3\_\_\_ - \_\_\_.
- b. 2-year terms for members appointed under s. 3\_\_\_ - \_\_\_ and 3\_\_\_ - \_\_\_.

**LRB**  
APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date: \_\_\_\_\_  
Attorney  
IT IS OUR OPINIOLN THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date: \_\_\_\_\_

Requestor

**Drafter**

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