

To: Matthew Tucker, Zoning Administrator
Heather Stouder, City Planner

From: David Ahrens, Alder

Date: October 16, 2014

Re: Conditional Use Permit for 707-709 Rethke Ave

Heartland Alliance's proposal for a conditional use permit for a "mixed-use" development within the Commercial Corridor-Transitional District directly off of E. Washington Ave. should not be granted.

MGO 28.067(3) The proposed building does not provide the required rear yard setback of 20% of the lot depth of 20 feet, currently at 15 feet. Because this is a corner lot, it arguably requires a side yard setback of 25 feet (currently at 6 feet).

MGO 28.067(3) requires 160 sf of useable open per one-bedroom unit. The requirement of 9600 sf of open space is not met.

MGO 28.067(3)(a)(3) requires that "where the CCT District abuts a residential district at the rear lot line, building height at the rear yard setback line shall not exceed two (2) stories/twenty five feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line up to the maximum allowed height." The proposed residence is less than 25 feet from the rear residence which is also a licensed day care facility.

MGO 28.067 (1) Statement of Purpose:.....The district is also intended to:
(e) Structured parking is encouraged.

The Carpenter-Ridgeway-Sycamore Truax Neighborhood Plan (2001) was developed by a federation of neighborhood organizations under the guidance of city planning staff. It is the most recent plan relative to this neighborhood. In its discussion of the 3200 block of East Washington Ave, it recommends, "This particular site has the potential for expansion to the south since vacant sites lie directly behind the commercial sites. A multi-family or mixed-use development is proposed at the corner of East Washington Ave and Pincrest Dr.....Construction of medium-density residential units (four units) on the Westside of Pincrest Drive would complement the multi-family nature of the street. ***Commercial uses on Rethke Ave would complement the use along the street.*** (Emphasis added.)

Background: The project has been consistently described by its developers and city officials as a development for supportive housing for individuals who have been chronically homeless. At times, the proposed residential target population has been described as homeless due to inability to maintain a household due to underlying mental illness or substance abuse.

Numerous narratives describing this project have been provided both verbally in public meetings and in budget documents. They consistently describe the project **solely** as an attempt to provide permanent supportive housing for homeless adult individuals. No other commercial or non-profit purpose has been described as part of this project until the submission of the plan to the City of Madison.

The Issue of the Kitchen: Discussions with developers and community members were held periodically from December, 2013 through September 2014. Representatives of Heartland Alliance and City CHA provided general overviews of the project as well as descriptions of a vegetable garden available for residents and a common kitchen. **At no time, did a representative of the development note that the kitchen or the community room was open or available for public or commercial use.**

Note that the description of the kitchen on page 3 of the Heartland Alliance letter of 9/24/2014 does not mention any need for a publicly used kitchen. The Bethesda Church, located one block away, has a commercial kitchen that is regularly used by community groups. They also generously and freely allow community groups to use their various spaces- the sanctuary, teen room, basement meeting room/cafeteria, etc. Indeed, Heartland has used their spaces at least three times.

The kitchen and community rooms of this “mixed-use” project are spaces that are not needed or desired by the community. Because there is no evident or “voiced need” for the kitchen, the developers state that they have retained a consultant to find possible users (that are not already using the **Feed Kitchen** on Sherman Ave, Bethesda Church or other commercial culinary enterprises that engage in “sharing” space).

The use of the kitchen has, however, been repeatedly cited as a necessary utility/amenity for the building residents. Many residents have had little experience in food preparation. Heartland senior staff emphasized the importance of teaching residents rudiments of shopping and cooking- integral skills for maintaining a household and good nutrition. (Access to more advanced culinary skills that can be applied vocationally are available at Madison College.)

Further, the 315 sf of each living unit provides little more than a minimal kitchen galley to work with. The first-floor kitchen opens to outside halls, double doors into the community room as well as one outside door that is operable only with a specially program electronic key. Clearly, this has not been designed as a public space and one in which commercial food preparation is not likely to take place.

What is the Real Purpose of the Kitchen? The proposed kitchen serves as the rationale for the mixed-used designation. This “commercial facility” constitutes a small fraction of the overall space: 600 sf/ of 37,000 or 1.5% of the project. Indeed, this “commercial kitchen” comprises only 6% of the entire space of the first floor. Although there is no minimum standard of the proportions of uses that constitute a “mixed use”, a reasonable interpretation of the ordinance would indicate that the minimum standard must exceed well over 1% of the overall space. *

Fitting a Mixed Use into A Residential Space: With the less-restrictive proposed “mixed-use” zoning, the developer proposes only 12 parking stalls (including two spaces for disabled). Heartland Alliance plans to employ nine full-time staff. Thus, the remaining parking space would have to accommodate:

- Visiting service maintenance and repair workers.
- Visiting social and psychological service providers and law enforcement.
- Visitors of residents- family and friends.

In addition to the above, there are an unknown but perhaps significant number of residents with personal vehicles. First, it is likely that a number of residents will move into the development from their cars. Second, some residents will be veterans. Once they have qualified for benefits they will have sufficient funds to purchase a vehicle. Third, over time, some of the permanent residents will become employed and once employed will seek to own a vehicle.

Their interest in owning a vehicle will be motivated, at least in part, by the very limited public transportation as well as the difficulty and danger of crossing E. Washington Ave as vehicles enter or exit Hwy 30. Many of the residents will have jobs that require them to work outside of standard commuting hours when there is only limited availability of public transportation. Other appointments and transportation needs may well fall outside of the 2+2 hour/5 days when public transportation is more readily available. For example, two buses are needed for residents to shop at Woodman’s or Aldi food stores.

Given these circumstances, one can reasonably and conservatively estimate that a **minimum of 15 residents** might have cars at the time of initial occupancy. As employment and government transfer payments increase, the number of vehicles owned by residents will increase with it.

The effects of the planned absence of parking will have long-term negative effects:

- As noted above, employment opportunities for residents who are more likely to work a non-traditional schedule, will be sharply limited without a personal

* In fact, the actual use of the “mixed-use” of the kitchen by non-residential groups, the use will be *de minimums*. As noted, above there is no indication of a need for a commercial kitchen or a desire to use a kitchen in “someone else’s” residence. Unlike a traditional mixed use such as a retail outlet or office which has a dedicated use this kitchen space is only available at the convenience of the operator and when it is not being used for any other internal purpose. If one computes the time the facility is actually used by non-residents by the relative size , (i.e.: % of week * 1.6%) the product indicates that the “mixed-use” or commercial function is an infinitesimal part of the residential property.

vehicle. (Note: The city grants YWCA \$80,000/year to provide transportation to residents who do not have vehicles (in part because of a lack of parking downtown) and work PM and night shifts.)

Indeed, the net effect of the lack of parking and thus, the availability of a personal vehicle will be to discourage employment and “moving on” to private residences.

- Residents cannot park on E. Washington or most of Rethke. This leaves the option of parking on the residential streets (Pinecrest Ave., etc.). This will require residents to walk a few blocks to get to their vehicles and if cars are left unattended will likely result in local residents calling police and having cars ticketed.
- Residents and visitors who do have cars will have limited options for parking: park adjacent to the project in the Storm-Luedtke parking lot. The building owners will have the cars ticketed and towed- \$150 fine. They may also attempt to park in the Aloha Inn lot with the same result.

In addition to the problems this will cause residents, it will result in on-going conflict between neighbors and community members and the residents of the housing project. This will reduce the ability of the building residents to full integrate and be accepted as community members.

Granting this conditional use permit would create an extraordinary precedent for the city that could obviate the residential standards through the purported use of an insignificant space used rarely if ever by non-residents. By granting this conditional use, the next developer of a 20,000 sf developer can allocate a 250 sf “gym” and allege that membership in the “gym” will be open to all community members. Of course, they will have to compete for use of the equipment with the 50-60 residents.

Conclusion: The data on space allocation and potential use clearly indicates the claim that the possible use of the first-floor kitchen and community room[†] is a mere “fig leaf” to avoid the requirement of over-density, adequate open space, setbacks and particularly parking.

[†] I do not address the use of the “community room” by non-residential community members. Given the availability of the Bethesda Church, Hawthorne School, Madison College, etc., it is unlikely that neighborhood residents would opt to use a community room that would be open to residents and that is locked to outside members of the community.

Data Snapshot of the Hawthorne Neighborhood

There are approximately 1,090 residents living in 530 households in Hawthorne. A little more than half of the households live in owner-occupied homes. Children (ages 0-17 years old) comprise over one-quarter of the residents. Two-thirds of the children are economically disadvantaged. Half of the households in Hawthorne are comprised of families.

In the last ten years, the major demographic change has been an increase in the proportion of Latinos residing in the neighborhood- from 4% to 14%. In the same period, the proportion of White residents declined from 83% to 66% of the community.

From 2011 to 2012 home values in Hawthorne experienced the largest decline of any of the 114 tax assessment districts in the city- from \$140,000 to \$131,000. The median age of homes in Hawthorne is 58 years.

Also from 2011 to 2012, median family income declined by 13% (from \$40,000/year to \$35,000/year). This is also one of the greatest declines in household income in the city. The household poverty rate is twice as high as in the city as a whole.

In 2012, the rate of crimes against persons such as robbery and assault was twice the city average and crimes against property and crimes against society such as drunkenness and drug use were also substantially higher.

NOTE: This data on the Hawthorne neighborhood covers roughly 75% of the assessment area described by the city as Stoughton Rd/Commercial Ave/ E. Washington Ave which is the proposed site of the housing for homeless residents.

(Source: Madison Neighborhood Indicators. US Census 2000, 2010.)

http://madison.apl.wisc.edu/documents/Hawthorne_Neighborhood_Assn.pdf

DA/010414



HEARTLAND ALLIANCE

Heartland Housing, Inc. & Heartland Health Outreach | Permanent Supportive Housing at 707 and 709 Rethke Avenue | July 16th, 2014



PROJECT BASICS

WHAT IS IT?

- Single adult permanent supportive housing
- 60 studio apartments
- Common areas/Community space
- On-site services
- Green Building (LEED certification)

WHERE IS IT?

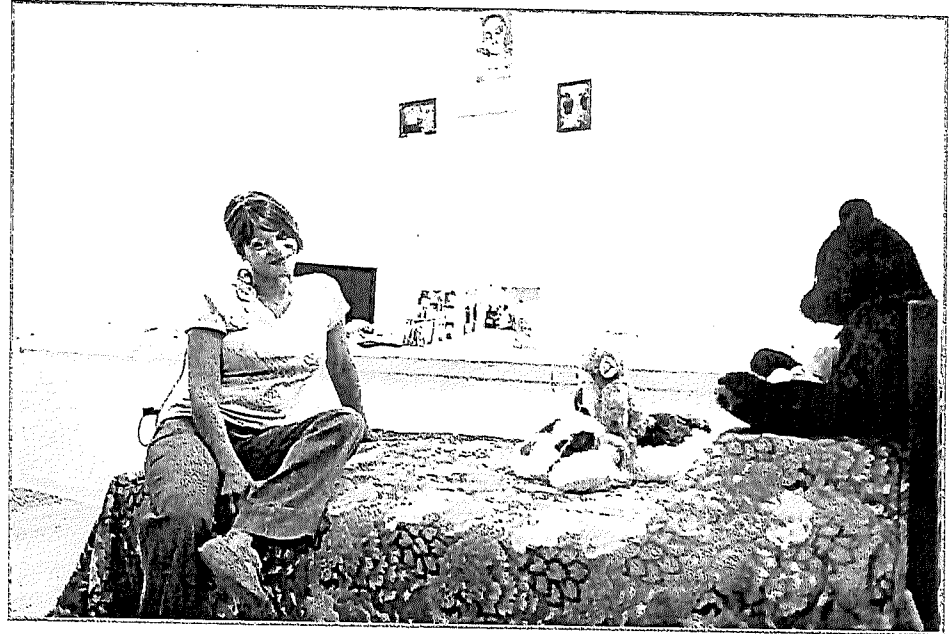
707 & 709 RETHKE AVENUE

CARPENTER-RIDGEWAY NEIGHBORHOOD

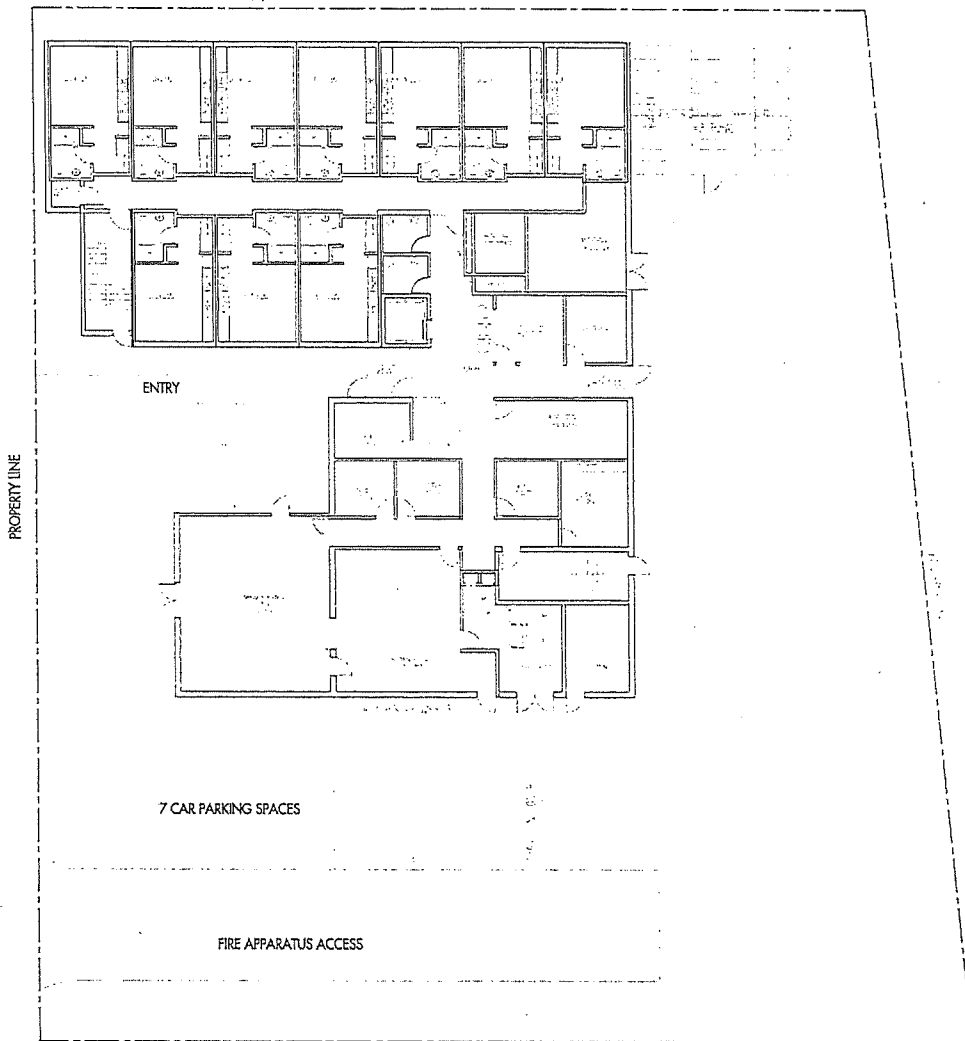


RESIDENTIAL UNITS

- 60 studio apartments
- Full-size kitchen
- Private bathroom
- Basic furnishing will be optional



GROUND FLOOR PLAN

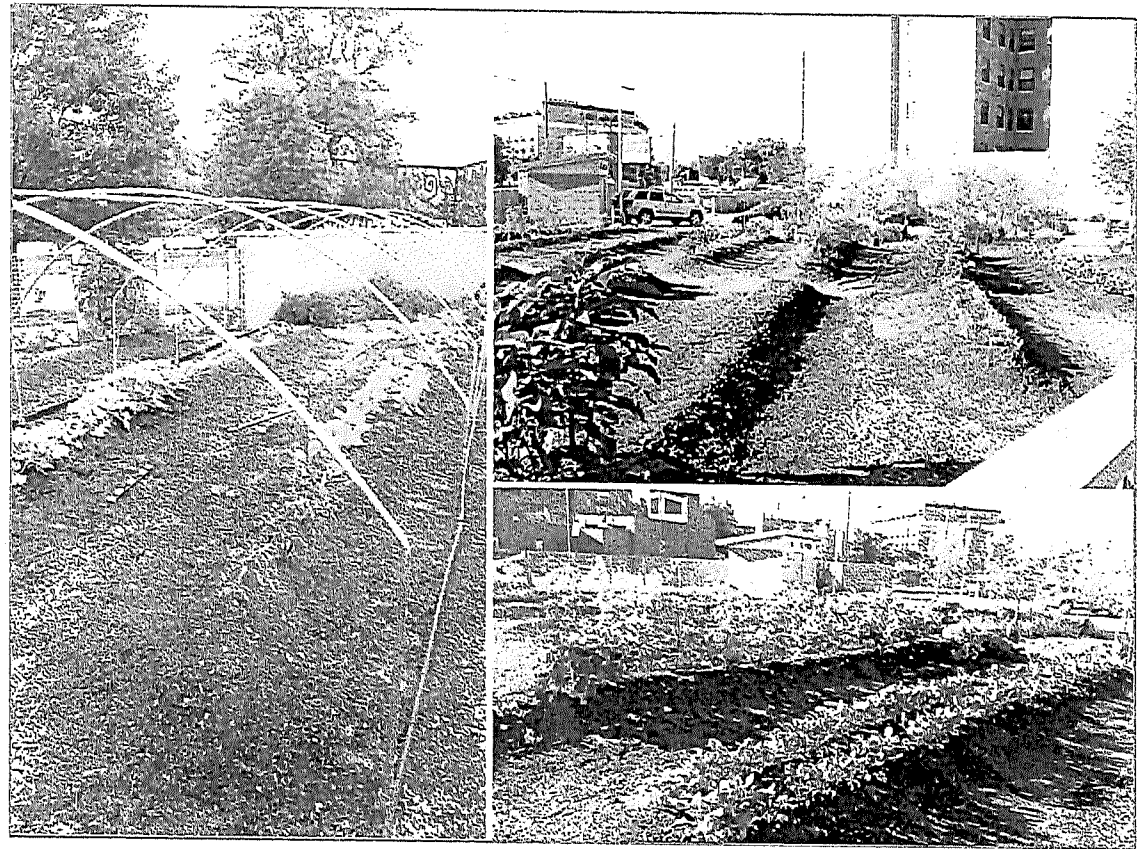


- Teaching kitchen
- Community room
- Computer lab
- Library
- Laundry
- Property management and case management offices
- Reception desk

7-10-14 OPTION GROUND FLOOR 9870 GSF

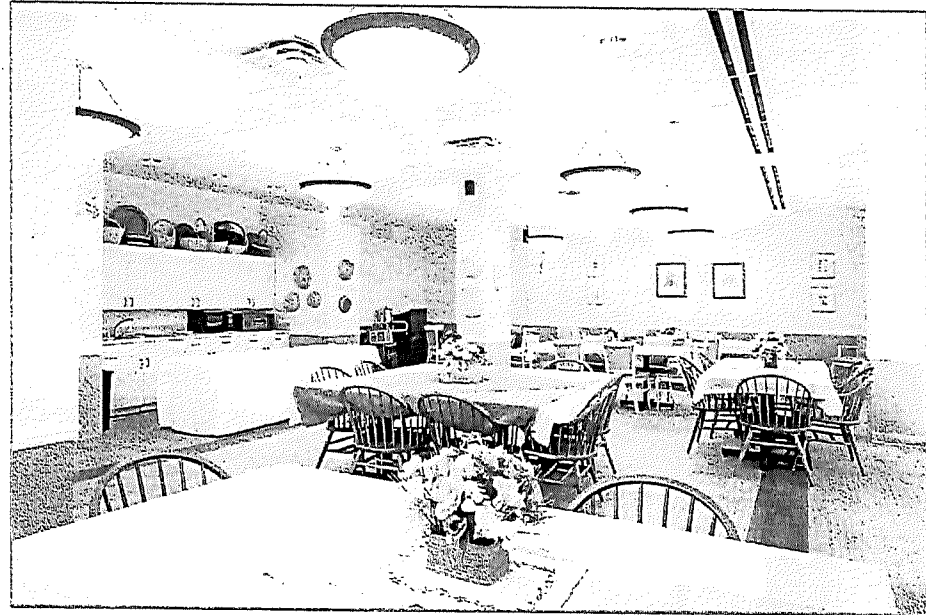
OUTDOORS

- Garden/Urban farm
- Bike storage
- Patio

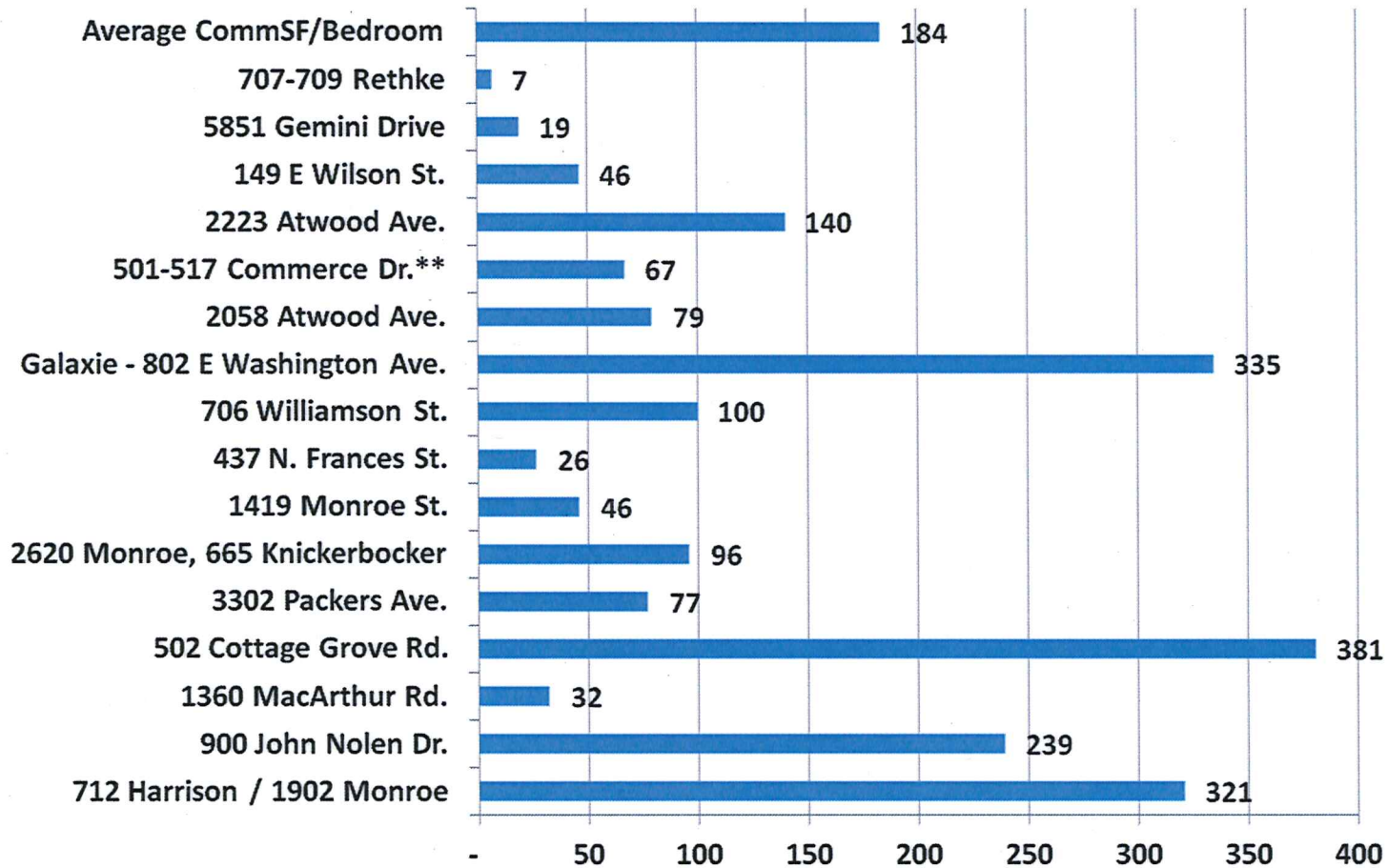


COMMON AREAS / AMENITIES

- Wellness center
- Lounge/Meeting room
- Technology center
- Teaching kitchen
- Separate individual storage units



Commercial Sft/ Bdrm: Mixed Use Projects 2013-14



Parking Stalls per Bedroom Mixed-Use 2013-14

