

To: All Alders, Common Council  
From Carrie Rothburd  
Date: January 18, 2019  
RE: Please Include Condition of Approval re In-lease Parking Spaces for Peloton

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Agenda Item No. 3  
1/22/19 Council Agenda  
Legislative File No. 53953

As a homeowner on the 800 block of West Lakeside Street, I deal with commuter and residential parking on our street on a daily basis. Not only do we call parking enforcement regularly to ticket cars parked overlapping our driveway, but we have had to have cars towed to get out of our blocked driveway. Worse because of the density of parking on the street, we have difficulty navigating our way out of our driveway because it is impossible to see through the parked cars on the street to watch for oncoming traffic. It is equally hard for vehicles moving westward along Lakeside to see us, and on one occasion a speeding car struck our stationary vehicle when we paused as we were backing out of our driveway to allow it to pass. The city erected a sign announcing that there is to be No Parking within Four Feet of Driveway four feet from the edge of our driveway, but either people don't understand the sign or don't care.

I am thus very concerned, along with my fellow neighbors, about additional on-street parking, which will occur if there is no Condition of Approval (CoA) attached to the Peloton requiring that the Peloton fold one parking space into the leases of tenants with opt-out option for those without cars. Taking into account tenants' cars, their second cars, guests' cars, and the cars of the building's business employees and patrons, there could well be some 250 to 300 more cars in the vicinity of West Olin, Emerson, West Lakeside, Lake, Brooks, Midland, etc. daily.

Neighbors with the support of our former alder lobbied for this CoA in 2017; it was vetted and passed by the City Attorney's Office, and agreed to by T. Wall. With the addition of the 16 more unit Wall proposes to meet his financial needs, it is more important now than ever that this CoA exist to meet existing neighbors' needs.

It is not sufficient, as Plan Department staff suggest that the zoning text for the Peloton includes it. That was not deemed sufficient in 2017. There needs to be a CoA that expressly states: One parking space to be included in the price of rent for each dwelling unit in the project (i.e. no separate rent shall be charged for the first parking space leased by the tenant of a unit), with the ability for a residential tenant to opt-out of this requirement.

As pointed out in the BCNA letter, the CoA should state that 16 Wingra Point I parking stalls be expressly dedicated to Peloton residents. It should further state that, should the ownership of either building change, the dedicated use of these parking stalls will be transferred by legal requirement to the new owner of the property, akin to the transfer of an easement. This arrangement should be stipulated within the CoAs to avoid any future confusion about or termination of the arrangement.

It is puzzling that Plan, which knows of neighbors' concerns about parking, should have chosen to strike this CoA. Nothing else about the building or the neighborhood has changed since 2017. It should therefore be incumbent on the developer and not the neighborhood to bear the burden of the Peloton's parking needs. In fact, he should be going out of his way to make parking in the building attractive to his tenants rather than charging fees that lead them to take their chances on the street, as the majority of Wingra Point I tenants now choose to do.

Here are some more facts that I believe argue in favor of your reinstating former CoA number 55:

- 1) Both our past and current alders support the inclusion of the parking in lease arrangement as part of the CoAs.
- 2) The developer has confirmed that he can meet the parking requirements of his proposed 173 units (this number includes the newly proposed 16 units) by using the stalls in the Peloton plus 16 additional stalls in Wingra Point I.
- 3) The MPD reports that parking violations were the single biggest reason for police calls in Bay Creek in 2018.
- 4) The developer has indicated to the Plan Commission that he has a similar opt-out arrangement at one of his other buildings.

I further urge you to enforce another solution that was part of the 2017 plan to mitigate the Bay Creek and Greenbush parking problem posed by the Peloton. Please consider instituting RP3 permitted zones for surrounding streets, bypassing the usual appeal process to establish RP3 zones and please exclude Madison residents with a Peloton address from purchase RP3 permits. Please retain the CoA attached to the Peloton by the Plan Commission requiring any food-and-drink-serving establishment to apply for a CUP.