



**Agenda Item #:** 6

**Project Title:** 1617 Sherman Ave - Development Adjacent to a Designated Madison Landmark (Yahara River Parkway); 12th Ald. Dist.

**Legistar File ID #:** 76447

**Prepared By:** Heather Bailey, Preservation Planner

**Members:** Present: Edna Ely-Ledesma, Molly Harris, Katie Kaliszewski, David McLean, Maurice Taylor, and Ald. Bill Tishler  
Excused: Richard Arnesen

## Summary

*Thomas Reps, registering in opposition and wishing to speak*  
*Darrin Jolas, registering in support and wishing to speak*  
*Daniel Wiltrout, registering in opposition and wishing to speak*  
*Larry Nesper, registering neither in support nor in opposition and wishing to speak*  
*Alex Saloutos, registering neither in support nor in opposition and wishing to speak*  
*Robert Johnson, registering in opposition and wishing to speak*  
*Matthew Havey, registering in support and available to answer questions*  
*Doug Hursh, registering in support and available to answer questions*  
*Melissa Huggins, registering in support and available to answer questions*  
*Kirk Biodrowski, registering in support and available to answer questions*  
*Andrew Peabody, registering in support and not wishing to speak*  
*Ed Jordan, registering in opposition and not wishing to speak*

Bailey provided background information on the proposed project.

Thomas Reps discussed previous approvals of bad plans that have permanent consequences, as well as examples of good plans where there was adaptive reuse of historic structures and good design in new construction projects. They said that an inappropriate building intrudes on the character of an area and suggested that the project team consider a less intrusive approach for this development to reduce the impact on the character of the area. They disagreed with staff's conclusion and instead felt the development was overly large and visually intrusive.

Darrin Jolas, applicant, said that they had an arborist catalogue the site because it contains a variety of trees, including non-native and invasive varieties. The arborist reported that the perimeter provided valuable screening, but maintenance would be challenging over time. The development team worked with City Parks on the landscape buffer. They showed a view of how the landscape buffer might appear in spring and summer when the park receives the majority of its visitors. In the upper left corner of this image where the building is visible, they changed the building materials and reduced its height to better blend with the surroundings.

Larry Nesper, representing the Sherman Terrace Neighborhood Association, said they were unconvinced that a five-story project in a mostly three-story or less neighborhood was appropriate. They applauded the efforts of the developer to preserve some existing greenspace, but they were told that some of those trees and brush would be removed. They discussed the wildlife that the area supports and challenges with climate change that would make it unwise to remove any old trees because of their role in flood mitigation, noise reduction, mental health, and protective shade. They said that Tenney Park and the Yahara River Parkway deserve as much protection as we can offer and asked that everyone

tread lightly and not “besmirch one of Madison’s jewels for the benefit of a project for the privileged few who can afford it.”

Daniel Wiltrout said they should keep the park green. Looking at the trees that would be removed, they were concerned about the sparseness, which creates a different look. They said that a 30-foot break with leave the stark building edifice as a replacement to the habitat view, with the privileged market rate property on a plateau. The oversized building project will be over the top of the current trees. They concluded that the development was overly large and visually intrusive.

Alex Saloutos said the Commission should refer the item to a future meeting because there was not enough information to make an informed decision. They outlined concerns about considering both Tenney Park and the Yahara River Parkway as adjacent landmarks. They mentioned the Yahara River Parkway Master Plan, which includes the Tenney Park landmark and has several recommendations regarding the preservation of the landmarks that mitigate the development of adjacent developments on the landmarks. They said the conditions required by Parks are contrary to the recommendations in that plan. They asked what recommendations in the Comp Plan, neighborhood plans, or the Historic Preservation Plan might be relevant to the preservation of these landmarks. They said that based on the drawings provided, it was hard to know the impact of the development on Tenney Park.

Robert Johnson agreed with previous comments in opposition to the development. They said the project is overly large and visually intrusive not only to the park but to the homes in the area. They said that if there is a development, it should not be greater than three stories; nothing in the area looks like this building, and there is no way to hide it with the few trees that will be left. The winter view of the development provided by the applicant demonstrates how massive and obtrusive this project is, and it is inappropriate for the area. They said that this is primarily a residential area of single-family homes, and nothing about the development is compatible with the structures in the area. They said it would be less objectionable if the Filene House building would remain because it would move the building further back and be less obstructive to the parks area and river.

Harris requested clarification on what is happening to the existing trees, including what is being removed, planted, and the relevant timeline.

Lisa Laschinger, City of Madison Parks Division, said that the Parks Division’s comments call for a 30-foot undisturbed buffer, so no trees within that buffer should be disturbed. They said that the landscape buffer agreement will be negotiated, which is a restrictive covenant and will require that the developer prepare a plan for improvements that is consistent with the landscape plantings within Tenney Park and the Yahara River Parkway. They said that Vermilion will work with Parks to create the plan and phased approach, so if tree removal occurs, it won’t happen all at once so there is still a buffer and easier transition to the native restored planting area, which will provide habitat to pollinators. The easement and restrictive covenant will be in place for 20 years and would then expire.

McLean asked about the 30-foot buffer and raised concerns about the tree root systems of the existing 100-foot-tall trees being damaged. Laschinger confirmed that the dripline of trees falls within the canopy, so if there is a 50-foot canopy tree, the roots would be spread about 50 feet around the tree. McLean asked if there was danger to the trees by not protecting that full dripline. Laschinger said there would generally be precautions put in place for construction projects and would be evaluated as the project continued. McLean said that a 30-foot buffer with tree canopies of this size seemed less like a wooded buffer than a linear planting of trees. Laschinger said that it was 30 feet from the property line, and there is still a park buffer on the opposite side that will not be disturbed. McLean requested confirmation that the majority of the park buffer is pavement, including boat trailer parking and access to the pontoon boats, so the only soft buffer that backs up to the park is owned by the developer.

Darrin Jolas said they flew a drone to the treetops and the highest point was 108 feet, and most trees are in the 50-100 foot range. They said that on the inside of the 30-foot buffer, there is significant landscaping on their site and the buildings are set back from it. They believe that any rootstock will be preserved through construction.

McLean said the southwest corner of the site looks like it has the opportunity for a wooded buffer, and he had concerns about the view perspectives toward the street and first approach along Sherman Avenue. He mentioned the landscaping beneath the trees in the buffer and wasn't sure how to densify it to produce a more wooded buffer. Jolas said that the 20-year agreement says that the area is to be untouched. They are planning to replant as trees fall because there is unfortunately a significant ash borer outbreak on the site; those ash trees have a 1-3 year lifespan, so they anticipate them falling or needing to be removed. Their intention is to replace them with heritage and native plants or trees. In the meantime, buckthorn is present and serves as a lower-lying shrub-like screen. They said this is a 20-year agreement, and they want to do it right, which is the intent of all parties. McLean asked if they were removing the buckthorn. Jolas said they currently don't intend to remove anything and instead will replace over time. Their arborist documented that the buckthorn does serve a purpose in that it helps to screen the building from park views. They said there will not be any wholesale harvesting of trees, and the area is meant to be a screen for the foreseeable future for the benefit of the park. McLean said they would like to see more than 30 feet of woodland, even if the City was only requiring that amount; if there were a way to add more screening on the development side of the buffer, it would be appreciated by all.

McLean asked why the taller buildings were set more prominently with the smaller buildings tucked in back because it is helpful in view perspectives to put taller buildings in back. Doug Hursh said that in neighborhood meetings, they heard concerns about taller buildings being near the Sherman Terrace Condominiums. The City also required the developer to add a public road that bisects the site and created a smaller site by the Sherman Terrace Condominiums. Both of those factors led to the smaller buildings in that area and taller buildings to the south. They noted that the buffer zone is 30' wide, and everything within it will remain. The closest building to the buffer zone is 56' away from the property line, and the second building facing the river is over 140' away from the property line. They said that the existing low screening in the buffer zone will remain, so it will not just be a line of trees.

McLean commented on the interaction of the buildings to the site where they are located, noting that it seems like an opportunity to do something special. While the developers are doing nice things with the site and keeping a lot of green, the buildings look like they should be somewhere other than a park. He added that this is a fantastic opportunity with this site that not a lot of people in Madison get and asked that they honor it as they go through this process and the development.

Kaliszewski echoed McLean's comments. She said that she didn't believe the development was visually intrusive to the Yahara River Parkway itself. She said that while they don't have the ability to tell applicants when to plant trees, she was happy there was a buffer with additional greenery that will shield the parkway. She said that it would be nice for the building to be better looking; the same thing is built over and over again in Madison, so it would be nice to see something different. She requested that the project team clarify that this was not affordable housing. Melissa Huggins said that it was not affordable housing because the development is not in a qualified census tract to receive financing for affordable housing. They said that the site plan, landscape plan, and architecture of the buildings has been reviewed by the Urban Design Commission and will be at Plan Commission next week.

Tishler asked about earlier public comment regarding the landmark boundaries. Bailey shared an image with the landmark boundaries and said that the development was adjacent to Tenney Park, noting her staff recommendation remained as the Commission assesses the view from the Yahara River area to the adjacent development. Tishler asked about the Yahara River Parkway Master Plan that was mentioned in public comment. Alex Saloutos said there is a policy document with relevant recommendations on development adjacent to Tenney Park and the Yahara River Parkway regarding preservation of those areas. Bailey said those concerns are dealt with as part of the Plan Commission's review of the project. She said that the Landmarks Commission's purview was only related to 28.144 in the Zoning code.

Harris asked if the Commission can take the buffer into account. Bailey said that generally for advisory recommendations, they are dealing with the built environment where the Commission often asks for setbacks related to the adjacent landmark to create a buffer so that the new building doesn't loom over it. This situation involves a designed landscape, and Parks' requirement for a wooded buffer falls in line for providing mitigation for the designed landscape that is the park, which can be taken into consideration by the Commission. McLean said that in using trees to hide the view, there is nothing to say the trees won't fall; this is not City Parks land, and there may not be anything they can do to ensure the trees remain there forever. There may be a great landscape plan, but if it's not kept up, there is no longer a buffer. He said that he didn't know if the building was too large, but he did find it visually intrusive and the design does not fit in this place. He said the design echoes downtown infill or an office park in the suburbs.

McLean said that his first impressions of the building were that it was not near a historic park, as it reminded him of infill buildings downtown or suburban development. The main building out front doesn't look like it belongs here. It is the design in the sense of its heavy and large massing. He mentioned the Filene House building that this development would be replacing, which seemed lighter in its proportions of fenestrations to solids, and it was smaller. The proposed buildings look heavy, not park-like, and very urban. He said that Sherman Avenue does bring in traffic, and as one is rounding the corner, the first thing one sees is this property followed by the park. The current property looks park-like, and with this structure, it will not look park-like and will instead evoke a more downtown feeling in an area that's not downtown. He referenced the Sherman Terrace Condominiums, which are shorter than the proposed development that dominates this site. While it doesn't go property-line to property-line, it is big and will be visible from the park no matter how many trees are there. It will be visible from the park, road, and lake because it is massive. It doesn't look light, it looks heavy and like it does not belong in or near a park.

Kaliszewski said that she agreed with McLean's comments that the development could be better designed, but it wasn't visually obtrusive.

Ely-Ledesma said that an important consideration in the standards is to look at the property line of the landmark and context of the property line for the development area. She said that the buffer is being demonstrated to cover what might be considered visually unappealing. She said that it wasn't in their purview to comment on the architectural quality of the development, only to evaluate that particular edge of the development. In thinking about the site design and Sherman Avenue context, she appreciated that the edge is set back. Thinking about the courtyard style of the building, there is a particular attitude about the urban edge there; in terms of respecting height and their neighbors, there is an edge with an appropriate transition. Looking at the parkway, she said there may be a challenge with the timeline, but Parks staff has said there is a timeline in place to be sure the transitioning of trees is done in a way that has integrity and will allow the buffer to continue to grow appropriately. She said that she believed the proposed development met the standards. She said that while it is dense, it is important given the urban proximity of this site to downtown and the need for more housing.

McLean referenced the standards and said that visual does mean architecture and what you see when you look at a building, which is why it is important. During winter months when there are no leaves on the trees, the buffer will be gone and the development would be very visible. He did not consider the site close to downtown; there is a lot of neighborhood between here and downtown, so there is a disconnect there. Kaliszewski said that in previous advisory recommendations, they have commented on the design of the architecture in terms of being visually intrusive, so there is precedence to discuss the proposed architecture. McLean said that if not for architecture, what is the visual?

Kaliszewski said that she could see both sides. She did not believe that the proposal was visually intrusive but agreed with McLean in that it feels like a suburban office park and there is a better design out there.

## **Action**

A motion was made by McLean, seconded by Harris, to recommend to the Plan Commission and Urban Design Commission that the proposed new structure is so large or visually intrusive as to adversely affect the historic character or integrity of the adjacent landmarks. With the findings that the structure is not compatible with being adjacent to a historic park, due to its massing, placement, and fenestration that is more appropriate for a suburban setting. Sherman is a key route into downtown, and this building looks heavy and out of character with its park-adjacent setting. The motion failed by the following vote:

**Ayes: 3 - William Tishler; David W.J. McLean and Molly S. Harris**

**Noes: 3 - Maurice D. Taylor; Edna Ely-Ledesma and Katherine N. Kaliszewski**

**Excused: 1 - Richard B. Arnesen**

A motion was made by Ely-Ledesma, seconded by Taylor, to recommend to the Plan Commission and Urban Design Commission that the proposed new structure is not so large or visually intrusive as to adversely affect the historic character or integrity of the adjacent landmarks. With the findings that the buffer along the property line screens the architectural character of the building from the landmark. The courtyard style of the building along Sherman respects the urban edge of its context, and the timeline for the wooded buffer transitions in a way that has integrity. The motion failed by the following vote:

**Ayes: 3 - Maurice D. Taylor; Edna Ely-Ledesma and Katherine N. Kaliszewski**

**Noes: 3 - William Tishler; David W.J. McLean and Molly S. Harris**

**Excused: 1 - Richard B. Arnesen**