

**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** April 20, 2015

**To:** Plan Commission  
**From:** Zoning Administrator, Matt Tucker  
**Subject:** 710 E Mifflin Street and 124 N Livingston Street

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**Present Zoning District:** TR-U2 (Traditional Residential- Urban 2)  
**Proposed Use:** Construct a 4-story multi-family residential building with 188 total units.  
**Conditional Use:** Section 28.032(1): A multi-family dwelling containing more than 8 dwelling units is a Conditional Use.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project):

- A. A minimum of 19 guest bicycle parking stalls designed as short-term stalls are required per Sections 28.141(4) and 28.141(11)(b). The stalls shall be located in a convenient and visible area within 100 feet of a principal entrance. Bicycle stalls are not allowed to encroach into required front or street side yard areas. In order to meet the guest bicycle parking requirement, bike stalls may need to be located within the public right-of-way. If bicycle parking is proposed for placement in the public right-of-way, approval is required by the City Real Estate section.

**GENERAL OR STANDARD REVIEW COMMENTS**

1. Provide details and show the areas identified as useable open space. Roof decks and balconies may be used to meet up to 75% of the minimum open space requirements. Useable open space shall not include required front or street side yards or areas occupied by buildings, driveways, drive aisles, or off-street parking.
2. Show that the lot meets the lot coverage requirement. The maximum lot coverage is 80%. Lot coverage is the total area of all buildings and paved areas as a percentage of the total lot area, with the exceptions of sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
3. Provide a minimum of 212 bicycle parking stalls distributed as short term and long term bicycle spaces, per sections 28.141(4) and 28.141(11). A minimum of 193 resident stalls are required plus a minimum of 19 short term guest stalls. Up to 25% of bicycle parking may be structured parking provided there is a five (5) foot access aisle. Provide a detail of the model of bike rack(s) to be installed.

4. Identify and dimension the bicycle parking areas including the access aisles. A bike stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access aisle.
5. Submit a roof plan with the final plans.
6. Submit a detail of the generator and gas tank screening enclosure.
7. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances prior to sign installations.

**ZONING CRITERIA**

Requirements	Required	Proposed
Lot Area (sq. ft.)	500 sq. ft./du + 250/bedroom >2 (96,750 sq. ft.)	97,865 sq. ft.
Lot Width	50'	263.73'
Front Yard Setback	15'	15'
Max. Front Yard Setback	30'	
Side Yard Setback	10'	10' - LS 10' - RS
Reverse Corner Side Yard Setback	12'	N/A
Rear Yard Setback	20'	20'
Usable Open Space	140 sq. ft./du (26,320 sq.ft.)	TBD (1)
Maximum Lot Coverage	80%	76% (2)
Maximum Building Height	6 stories/78'	4 stories/55'

Site Design	Required	Proposed
Number Parking Stalls	1 per dwelling unit (188)	192
Accessible Stalls	4	4
Loading	No	No
Number Bike Parking Stalls	1 per unit up to 2-bedrooms (188) ½ space per add'l bedroom (5) 1 guest space per 10 units (19) Total (212)	28 surface 158 underground 186 (3)(4)(A)
Landscaping	Yes	Yes
Lighting	Yes	TBD
Building Forms	Yes	Meets building forms (Large)

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		Multi-family Building)
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<b>Other Critical Zoning Items</b>	
Urban Design	No
Barrier Free (ILHR 69)	Yes
Utility Easements	Yes
Wellhead Protection District	WP-24

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: April 8, 2015

TITLE: 701 East Mifflin Street and 124 North Livingston Street – Four-Story Multi-Family Residential Development Containing 189 Dwelling Units. 2<sup>nd</sup> Ald. Dist. (36904)

REFERRED:

REREFERRED:

REPORTED BACK:

DRAFT

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: April 8, 2015

ID NUMBER:

Members present were: Richard Wagner, Chair; Cliff Goodhart, Melissa Huggins\*, Lauren Cnare, John Harrington, Dawn O’Kroley, Richard Slayton and Tom DeChant.

\*Huggins recused herself on this item.

**SUMMARY:**

At its meeting of April 8, 2015, the Urban Design Commission made an **ADVISORY RECOMMENDATION** on a four-story, multi-family residential development located at 701 East Mifflin Street and 124 North Livingston Street. Appearing on behalf of the project was Joseph Lee, representing Veritas Village, LLC. Registered neither in support nor opposition and wishing to speak was Patty Prime, representing the Tenney-Lapham Neighborhood Association. The project provides one level of covered parking 5-feet into the ground, four-stories of multi-family residential above, with some 3-story massings. A second public entrance has been added on East Mifflin Street, as well as the existing entrances on North Livingston Street and Dayton Street. Access points to the courtyard are available on both Dayton and Mifflin Streets, which also breaks up the scale of the building. The distance between the sidewalk and the parking deck (5-feet from grade) varies by location, roughly 11-12 feet. A series of planters and steps will lead to these plazas and will be different along the length of the project. The height has been reduced mid-block along Mifflin Street to break up the massing. Material samples were shown, with the Mifflin Street side and Dayton Street sides having different elements. A utility size brick is proposed. A concrete base goes around the entire building in a smooth finish, with the Mifflin side using a brownish brick and a reddish brick on the Dayton side, fiber cement siding and paneling with an accent color on the Mifflin side in a couple of options, and a more conservative toned down color palette in warm reds and beiges on the Dayton Street side.

Patty Prime spoke as the President of the TLNA. They want to preserve their neighborhood character and the safety of their neighborhood. There is a large mix of renters, homeowners, students and older people, a great proximity to downtown and they value non-car occupants. They support density and are happy with elimination of the 5<sup>th</sup> floor. Some of their concerns include the sheer massing of the building being so large, and do feel that the design is a bit too “suburban.” The colors feel busy, and the pedestrian façade feels too high.

Ald. Zellers noted concern with the parking level coming up and out at 5-feet, but complimented the terracing. She is concerned that there may be too much reliance on landscaping to soften the feel of the development. It is a very large building and she is concerned with the mass.

Heather Stouder of the Planning Division highlighted their concerns with the project. They would like to see similar landscape treatment on portions of the Livingston Street façade as the courtyards. They were hoping to see more details on the plans for hardscape in the courtyard areas. Regarding the exterior materials on the building, on Dayton Street they think the brick and fiber cement proportions seem to be optimal but do want to the brick a consistent color; the ins and outs of the building serve well to articulate the project. Also on Dayton Street, as well as Mifflin, there are four colors of composite siding; better outcomes might be achieved by simplifying those palettes. They appreciate the modern façade on Mifflin Street and the differentiation between the two. The changes to the Livingston Street façade are very good. The architect did a good job of integrating the louvers into the building. The Secretary noted that signage will require a separate approval.

Comments and questions from the Commission were as follows:

- The 3-4 story brick building is a very traditional form in Madison. I think this is pretty close to getting there, but again the multiplicity of materials that staff commented on, those orange panels strike me as introducing something that's not in that particular form. I also wonder about the double columns in one area and single in another; I don't know whether that's a good relationship to that form either.
  - There are no panels on the Dayton side.
- Is the use of the planks or panel more appropriate with the Dayton Street side? It seems to me it's a wood architecture versus a brick architecture and the panels might go better with the brick.
- It's hard to read the scale and texture of things on the Dayton Street side. When you talk about bringing in a more historic or traditional architecture you should look right next door at Das Kronenberg. They don't have fussy lintels and cornices and dainty columns and pieces that feel out of context. Or utility brick.
- On the Mifflin Street façade there does start to become some interest in the composition. I can understand living units, smaller applied entrances, as opposed to Dayton. It kind of loses some of that hierarchy in the dialogue. The comments made earlier hit it right on the head: that five-foot plinth will make or break this building and it is a large footprint without any breaks between buildings. Density is great on this site, Das Kronenberg has great density, but it doesn't have that massive footprint that this building is going to carry.
- (Patty Prime) Is there nothing that can be done about the 5-foot high curb seating (raised plinth)?
  - In addition to the water table, there are soil issues so we're pretty much going down as far as we can go. The scale of the structure was brought down as we get closer and closer.
- I think the building is too massive for the area and without any breaks. These walls are coming out, in some ways they just accentuate, just bringing that wall out to you (the pedestrian). I don't think you're terracing up very well. This type of planting does nothing but accentuate that wall.
  - That plant isn't representative of the landscape plan.
- So what is, is any of this representative? These planters that come out, you could be more inventive and use those areas where the planters are as showcases and create some really interesting landscaping. Things that are massive enough, not too huge and will fit the space but will also break up that five-foot wall.
- It does set back and the mass is broken up in a couple places. There are ways to make it work and make it work better.
- You have to be really creative, and I don't think this is it (attempt to mitigate the 5-foot raised plinth due to parking combined with ground water issues).

- Be really creative and potentially lose some parking stalls. Don't force that plinth to the street all the time.
- What about a line of understory trees that could grow in the shade you're going to get in there, in a minimal amount of soil, just so when you look out your window you'll see a leaf. Unless there's already programming for this space but it doesn't look like anyone would use it.
  - That's going to be lots of outdoor furniture, places for people to interact, and it's all designed to be movable. I like the idea of the trees but on the other hand, this has stunning views of the Capitol. We've lined it up so you can see the Capitol through that corridor.
- I understand the view of the Capitol but the more frequent view is across to your neighbors. An Amelancher in that setting would be very open. It just seems kind of cold.
- Terracing can be very effective in bringing the heights down, but it doesn't have to be all the time. Sometimes it's more effective if you were to have a space level with the ground that goes back far enough and retreats at the wall, and maybe your trees grouped in that opening. If it were a hollow it would be more inviting, rather than pushing the pedestrian away (raised plinth issue).
- Maybe you could do the trees at the end so they wouldn't block having a party there. Maybe some sort of arbor structures with vines, that would also soften it. We need more detail on how that's going to work.
- If there is a view, you can frame that view with the placement of plant material or arbors, not block it. But I'm more concerned about the cross view.
- You've got some plants south facing that just are not going to do well. I don't think there's a good selection, I don't think it's a good solution.
- If Livingston Street were done right and had enough space with less built elements to it, it could be successful mirrored off what could be an improved Water Utility façade and that greenspace. Livingston could be successful as a wider, open usable lawn, if that were improved. But right now there's bike parking, ramps, several stairs; it's not quite there.
- The plinth itself has been brought up as an issue consistently, which leads to how the landscaping functions or doesn't function, whether or not there's retaining walls or insets, etc. The length and size of the building are a major issue.

The Urban Design Commission recommends the following:

- Concurrence with Planning staff on the simplification of building materials and colors. The colors are complementary but maybe too polychromatic and require address.
- A more detailed review of the courtyard design should be provided (detailing is minimal currently).
- The landscape plan needs study and modification (in regards to the raised plinth).
- The context really calls for modular brick, not utility brick.
- The continuous footprint without relief should be reconsidered with the buildings as designed.

**ACTION:**

Based on the above discussion points made by the Urban Design Commission, its **ADVISORY RECOMMENDATIONS** are as follows:

- Blue not green as an accent siding.
- Concurrence with Planning staff on the simplification of building materials and colors. The colors are complementary but maybe too polychromatic and require address.
- A more detailed review of the courtyard design should be provided (detailing is minimal currently).
- The landscape plan needs study and modification (in regards to the raised plinth).

- The context really calls for modular brick, not utility brick.
- The continuous footprint should be reconsidered with the buildings as designed without relief and openings.
- Address of architectural comments made by the Commission.
- Modify plinth relative to landscaping and screening comment made by the Urban Design Commission.
- Alternate terrace and hollows at walk including use of ground cover with understory trees.
- Provide an alternative to the use of “Arborvitae” on the south facing wall.
- Redesign the Livingston Street frontage with a wider open lawn.
- Plan Commission action is contingent on a further landscape plan and architectural modification details in address of comments made to be reviewed by the Urban Design Commission as a condition of approval.
- Only one color fiber cement should be used.
- One color brick on the Dayton Street side should be used, where the building is more traditional.
- If the Plan Commission does not find that the comments made by the Urban Design Commission are sufficient for it to act, that the matter be referred until a future Urban Design Commission meeting.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall rating for this project is 7.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 701 East Mifflin Street & 124 North Livingston Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
<b>Member Ratings</b>	7	7	6	6	-	9	8	7
	4	5	5	-	-	-	-	-

General Comments:

- Simplification of details, colors and improvements to landscape plan will make the project much better.
- Too massive for site and context.



## PLANNING DIVISION STAFF REPORT

April 13, 2015

PREPARED FOR THE LANDMARKS COMMISSION



**Project Name/Address:** 710 E Mifflin  
**Application Type:** New development adjacent to designated landmark site  
(Badger State Shoe Factory)  
**Legistar File ID #** 37630  
**Prepared By:** Amy L. Scanlon, Preservation Planner, Planning Division  
**Date Issued:** April 7, 2015

### Summary

**Project Applicant/Contact:** Veritas Village LLC  
**Requested Action:** The Applicant is requesting an advisory recommendation for the proposed new development and its impact on the adjacent landmark site.

### Background Information

**Parcel Location:** The subject site is located on the eastern portion of the block bordered by East Mifflin, East Dayton, and East Livingston Streets adjacent to the designated landmark Badger State Shoe Factory.

#### Relevant Zoning Ordinance Section:

##### 28.144 DEVELOPMENT ADJACENT TO A LANDMARK OR LANDMARK SITE.

Any development on a zoning lot adjoining a landmark or landmark site for which Plan Commission or Urban Design Commission review is required shall be reviewed by the Landmark Commission to determine whether the proposed development is so large or visually intrusive as to adversely affect the historic character and integrity of the adjoining landmark or landmark site. Landmark Commission review shall be advisory to the Plan Commission and the Urban Design Commission.

### Analysis and Conclusion

The four story proposed building is located approximately 130 feet away from the Badger State Shoe Factory landmark building and 20 feet away from the landmark site. The sites are technically adjacent. The City Market landmark building is located approximately 70 feet away from the proposed new building, but the landmark site is not technically adjacent to the new development site so the review by the Landmarks Commission technically relates to the affect on the Badger State Shoe Factory.

The site of the proposed development is located on the eastern portion of the block bordered by East Mifflin, East Dayton, and East Livingston Streets adjacent to the locally designated landmark Badger State Shoe Factory which is listed on the National Register of Historic Places. Sanborn maps from the 1940s and 1950s indicate that the proposed development site contained industrial buildings and open supply yards. This similar context would have been present when the Badger State Shoe Factory was constructed in 1910.

While staff believes that this proposal meets the broad ordinance standard, staff feels that there are some modest design changes that would result in a better overall visual relationship with the adjacent landmark. Those changes include:

- Reduce the size of the brick.
- Simplify materials.
- Create numerous building masses.

## **Recommendation**

Staff believes that the historic character and integrity of the landmark and landmark site will not be adversely affected by the proposed new development. The Badger State Shoe Factory has existed in an urban industrial and residential context since its construction.

Staff recommends that the Landmarks Commission advise the Plan Commission and Urban Design Commission that the proposed development is not so large and visually intrusive that it adversely affects the historic character and integrity of the adjoining landmark or landmark site. In addition, staff recommends that the design suggestions in this report be forwarded to the Urban Design Commission and Plan Commission for further consideration.

February 18, 2015

Re: T. Wall Enterprises Proposal for Reynolds Crane Lot

To Whom It May Concern:

The Tenney-Lapham Neighborhood Association (TLNA) Council has considered the proposal by T. Wall Enterprises for the Reynolds Crane lot. TLNA Council has chosen not to take a stance for or against the proposal, but instead to summarize the opinions of the Tenney-Lapham neighborhood.

TLNA hopes that readers will investigate and appreciate the opinions of all involved, including the proposal's TLNA Steering Committee and other neighborhood input, all available at our development website: <http://www.danenet.org/tlna/development.html>.

We appreciate the willingness of the developers and the architect to meet several times with the Steering Committee and TLNA Council. Their willingness to listen to and address neighborhood input was very helpful.

Following are aspects of the proposal that the TLNA Council and neighborhood find **favorable to the neighborhood:**

- Follows city zoning and the Tenney-Lapham Neighborhood Plan (both as amended in March/April 2014)
- Improves a property that many consider an eyesore
- Increases the population in an area that helps to bridge the developing E. Washington corridor and the E. Johnson St. business district
- Quality exterior and interior construction that could convert to condominiums if market conditions allow
- Elimination of the 5<sup>th</sup> floor that was proposed in the earlier proposal by Westwood
- Willingness to step-back the 4<sup>th</sup> floor provides a transition from the homes on Dayton and along the Mifflin bike boulevard
- Exterior courtyard features provide a needed visual break along Mifflin and Dayton
- Individual entryways for the outer first floor units
- Ample bicycle parking in the parking level
- Parking area is not visible from the street
- Location of the main parking level entrance on Livingston is the best option for keeping traffic off the bike boulevard and out of residential areas
- Developer has committed to onsite resident management
- Developer is willing to underwrite the initial tenants' memberships in TLNA (\$10-\$20/year)
- Developer has expressed a desire to have an electric car-charging station and house a car-sharing spot

Following are aspects of the proposal that the TLNA Council finds are **not favorable to the neighborhood and/or on which a range of opinions are held:**

- The TLNA Council and neighborhood generally find the project's **lack of an affordable housing component** to be unfavorable to retaining the neighborhood's

diversity and range of housing types. That said it is recognized that housing affordability and related inequality issues are difficult to address on the project level.

- Some neighbors are comfortable with the proposal as is, but most TLNA Council Members and other neighbors feel **the building mass is not appropriate for this location in Tenney-Lapham**. It, however, is recognized that a design that fits with the block's surroundings - the 2- to 3-story homes on E. Dayton, the adjacent Reynolds Park, the locally landmarked adjacent buildings (Das Kronenberg Condominiums and City Market Apartments), and the new Constellation and Galaxie - is a difficult task, but most feel that the proposal's massing and design does not do so.
- Many feel that the **exterior design of the building is uninspiring** and reminiscent of a suburban development. This issue was partially addressed by a proposal option that added gabled roofs atop the Dayton and Mifflin sides, but consensus was not reached on the gables' appropriateness.
- The massing and design shortcomings could be addressed by several means. We suggest **breaking up the building into several parts** and/or varying the number of stories in some areas. Many TLNA Council members and some neighbors prefer the building be limited to 3 floors rather than the proposed 4.5 floors, while others prefer a mixture of taller building components and 2- to 3-story sections. Breaking up the building footprint, even reducing it by 25% or more, would also allow for more green space, which would better integrate the building into the neighborhood.
- Concerns were raised about the **poor pedestrian experience of the wall created by the exposed exterior of the parking level**, resulting in a "wall effect" along the sidewalk and street. Some believe that landscaping and terracing could address this issue, while others do not believe this to be an adequate solution. Ideally, the exterior courtyards should be at ground level, thereby creating a sense of shared green space rather than the current exclusivity of the elevated non-green courtyards.
- Many are concerned about **maintaining the iconic view of the State Capitol Building** from Reynolds Park and surrounding areas, particularly since the 2014 modification to the Tenney-Lapham Neighborhood Plan explicitly calls for maintaining views to the Capitol. The developers did not provide the requested line-of-site renderings from these vantage points, so it is unclear how views will be impacted.
- **Shadowing studies were also not presented**. TLNA would like to see the impact of the building, particularly on adjacent structures, the bike boulevard, homes across Dayton Street and on the Reynolds Park tennis/bike polo courts.

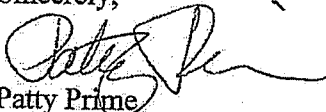
Should the proposal move forward, TLNA Council agrees, that in addition to the previously stated commitments by the developer, these conditions are important to the project's ability to contribute to Tenney-Lapham:

- It should respect the local landmarks Das Kronenberg Condominiums and City Market Apartments.
- As proposed, the existing 2-story building leased by Century Link should remain,

providing a buffer between the development and Das Kronenberg and also protecting the City Market building.

- Neighbors should have input on landscaping and fencing plans for the sections of the site that share property lines with adjacent properties.
- HVAC systems for the apartments and common spaces, as well as the exhaust fan(s) for the parking level, should create minimal noise and should not negatively impact the neighbors' quality of life.
- Traffic in and out of the parking level should be exclusively through the N. Livingston entrance/exit. The alternate exit near the Century Link communications building should be only for emergencies, thereby keeping traffic off the Mifflin St. bike boulevard.
- Additional traffic generated by the building should be discouraged from turning onto the E. Mifflin bike boulevard.
- Street parking by apartment residents should be discouraged. Residents of the proposed apartments should not have access to residential parking permits should that program be in existence or established on nearby streets. In addition, the applicant shall inform all tenants of the facility of the restriction in their apartment leases.
- Bicycle parking for guests should be provided, as well as additional exterior spots for residents.
- Green space for tenants should be maximized on the exterior ground level and/or in the interior courtyard.
- Given that the large increase in the number of apartments in the surrounding blocks has coincided with a large increase in dog waste that is not picked up, a station for depositing dog waste bags should be provided.
- Given that N. Livingston, E. Mifflin, N. Blount and E. Dayton often flood in heavy rain events, assure proper drainage away from neighboring properties.
- Since the location is 2 blocks from Lapham Elementary School, attracting young families (not just single professionals) should be a focus. The highest possible of percentage of 2-, 3- and even 4-bedroom units would be ideal.
- The City, the developer and/or the neighborhood should undertake a beautification project for the portion of Reynolds Park along N. Livingston that the proposed building will look down upon.

Sincerely,



Patty Prime  
TLNA President

**From:** Jessica Becker  
**To:** Stouder, Heather;  
**Subject:** T Wall proposal for Reynolds Crane Lot  
**Date:** Friday, February 13, 2015 8:54:57 AM

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Good Morning Heather,

I was at the Tenney Lapham Neighborhood Association meeting last night for other reasons, but caught part of the conversation about the T Wall proposal.

I was shocked that some things were not being said, or discussed. I've not been involved with the steering committee and know discussion is pretty far along. But, the more I thought about it, I figured it doesn't hurt to share my impressions. I shared them with the steering committee via email and Patrick Heck suggested I share them with you directly.

-I think the architectural style is boring, at best, and already out of date. It doesn't fit the neighborhood, yet does nothing to at least attempt to be modern or interesting. It looks to me like the 2015 version of beltline condos. The courtyards will be unused because they are not properly designed to draw people to congregate and the landscaping will be mall-like arborvitae in gravel patches.

-I think the height/size conversation is a distraction from real flaws. I think of all the blocks, that one could accommodate a higher building without causing new shadows on homes or lawns. I would rather have greater height on a smaller footprint to allow for more greenspace/landscaping/courtyards and REAL trees. The conversation about height seems misdirected here.

-the pool makes zero sense to me. It is too small for anyone to use other than children, yet the building and units are not designed to attract families. I presume it will sit unused most of the time and will look run down very quickly. I think it is an expense that will detract from more important upkeep of the place. It's just an attempt to be different. It may temporarily draw folks who like the idea of pool parties? Much more appropriate features would be solar panels, bike accommodations, onsite composting, garden plots or canoe storage.

Thanks for reading and have a great weekend,  
Jessica Becker

Celebrating creative community and joyful urban living at [Between Two Lakes and a Hard Place.com!](#)