

City of Madison, Wisconsin

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**REPORT OF:** URBAN DESIGN COMMISSION

**PRESENTED:** March 22, 2017

**TITLE:** 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street (121 North Butler Street) – Demolish Two-Family Residence and Four-Unit Apartment Building to Construct a 52-Unit Apartment Building in a Residential Building Complex Including 2 Existing Two-Family Residences. 2<sup>nd</sup> Ald. Dist. (46308)

**REFERRED:**

**REREFERRED:**

**REPORTED BACK:**

**AUTHOR:** Alan J. Martin, Secretary

**ADOPTED:**

**POF:**

**DATED:** March 22, 2017

**ID NUMBER:**

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Members present were: Richard Wagner, Chair; Richard Slayton, Lois Braun-Oddo, Cliff Goodhart, Dawn O’Kroley, Rafeeq Asad, Tom DeChant, John Harrington and Michael Rosenblum.

**SUMMARY:**

At its meeting of March 22, 2017, the Urban Design Commission **DENIED INITIAL APPROVAL** of a residential building complex located at 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street. Appearing on behalf of the project were James McFadden, representing Cliff Fisher; Bert Stitt, Lupe Montes, David Geier, Zane Williams and Brian Tydrich. Registered in support but not wishing to speak were Jean Fisher, Blake Fisher and Reese Fisher. Registered in support and available to answer questions was Cliff Fisher. Registered and speaking in opposition was Robert Klebba.

McFadden presented the changes that have been made since the information presentation:

- Driveway location/site access,
- Reduction in the amount of green space,
- Reduction in the length/depth of the building,
- Increase in the number of bike parking stalls,
- Reduction in the number of units, and
- Increase in the mix of unit types.

Kevin Firchow of the Planning Division presented the staff report and identified key issues, including through lot development and building length.

Comments and questions from the Commission were as follows:

- This is the third time we've seen this and generally speaking it's the same development, the biggest concern is the depth of the building. If the redevelopment were half the depth it would still be greater density. Respecting the rear yard setback would result in greater density. Allowing deep buildings would bisect this block altogether. This is way too big of a jump in density to be appropriate for the context. Going this big will hurt any future chance at redevelopment on this block.
- To continue that line of thinking, I don't know how to reconcile Conditional Use Standard No. 9 with this, existing character and the statement of purpose of the zoning district. I don't know how this helps establish normal and orderly development. I have a hard time finding that the standards are met.
- I disagree. It's big, but it works. This could be the catalyst for something good vs. something bad. It fits within everything they are trying to do.
- I'll repeat what I said before, it's heavy, it's massive. If we are looking for families to move downtown, what are we saying when we build these massive building to house them in? Will this be affordable housing?
  - Not any sort of government funding. It's meant to be truly affordable, market rate apartments.
- What are the measurements of the balconies?
  - 5' x 8'.
- Can the balconies be recessed a few more feet?
  - The units are already small, but we're willing to compromise.
- How are the balconies finished?
  - They will be cantilevered, fully weather-proofed, cement board.
- I'm conflicted with the density; it could be a catalyst for the renovation of the houses next door. To a design point, I don't know what is proposed due to elevation drawings. I would rather see something more modern articulated on the last story. It's a downtrodden block, I support something that acts as the catalyst to reinvigorate the area.
- We'd take a chance on this, but hearing from the neighbors that they are willing to take the chance.
- Is the top story a different material?
  - Yes, we're trying to go with something brighter, some sort of flat material, some sort of cement board.
- The balconies that were pushed in are on the side? How close are the balconies to the next door elements? Do you need a balcony that big?
  - Six feet from the property line. We need enough space for tables and chairs.
- If this project goes through, will the building spaces be abutting a rear yard to adjacent properties?
- (Staff) All other setbacks are considered side yards.
- The front yard setbacks even compared to others on the block? So you're further back than others.
  - No, a little further back than most, but not by much. Yes, setback varies along the street.
- The traffic areas are tight, but there is a flow. The big issue is the building mass. Initial approval would mean the mass is ok.
- Regardless of the depth of the building, approving a building's front yard setback isn't really defining what that is.

Firchow clarified the approval standards.

A motion was made by Slayton, seconded by Braun-Oddo, to grant initial approval. The motion failed on a vote of (4-5).

A motion was made by Slayton, seconded by Carter, to move referral. Discussion on the motion followed.

- If the Plan Commission can make the findings, then I'd be comfortable talking about the materials and aesthetics. I want them to make the finding that the massing is acceptable.
- (Staff) You're providing a recommendation to the Plan Commission. Your recommendation could be not to approve it and it could still go forward to the Plan Commission. It doesn't necessarily have to be referred.
- (Staff) If we're going to recommend referral and think about the applicant coming to visit us again, is there something that we need from them in order to make a decision and make a recommendation to the Plan Commission.
- If the Plan Commission green lights this then I'd be happy to spend time on the other details.
- We voted no on a motion to give it initial. We would have to have a motion to deny it initial; we need a positive motion that passes, our motion failed. A failed motion does not get it to the Plan Commission.
- The last project, and only project I remember denying here, got approved at Plan Commission.
- And we never saw it again.
- It's not going to get resolved here.
- The Plan Commission is really the body to make this decision. We seem stuck at "this doesn't fit" and we really don't know what it's fitting into. The Plan Commission presumably is given that vision.
- We aren't happy with the massing or site plan. I'm hearing it's too deep. We need to know the exact setback relative to the other neighboring structures.
- We still need to look at backyards, the way it cuts through, we don't want gravel parking lots. That leads to stormwater issues with the amount of paving, aesthetically who wants to live adjacent to a driveway.

A substitute motion was made by Goodhart, seconded by DeChant, to **DENY** the application for initial approval.

- Is the consensus that it's so big that we could never see it again, because of its size? Just to let the Plan Commission say that it's OK?
- If I look at the aesthetics and the general character of the rendering, thinking that's how the building design will be executed, I never had a problem with that. I don't hear any exceptions from the neighbors on the aesthetics of the building, it's the mass.
- I'd be more tempted to have a referral with some type of agreement, maybe it is just that back setback and driveway.

O'Kroley made an amendment to the motion to **REFER** with the applicant coming back with more detailed front yard setback, revised study of the drive through and the additional surface stalls, usable greenspace, an increase of the rear yard setback to be more compatible with the adjacent rear yard setbacks, within 15% of the setbacks of the north-south buildings, study of the balconies and their relationship to the architecture. The motion was seconded by Asad. Discussion followed:

- I think this really creates problems with other streets. We've done this before, running these driveways right by bay windows, block to block. Now you're creating stormwater run-off from the gravel drives. I'm not sure this is the direction Madison should be going. We need to find a way to mitigate this somewhat yet. I don't have a problem with the architecture.
- Or at least the next time it comes back being something closer to what the group can agree on. If we just say refer and it comes back like this again we're going to have the same conversation for a fourth time.
- Eliminating 15 units out of the building is probably going to kill the project.
- (Fisher) How about I knock the two buildings down on Hancock Street and shorten up the one on Butler Street. I need that depth to make it work. I'm in the business of making affordable housing.
  - We don't want you to knock those buildings down on Hancock Street.

- If it's referred with the conditions that were set forth, that kills the project.
- Either way this is going to the Plan Commission, and they're the ones who are probably first and foremost going to make themselves concerned with the mass of the building. Whether we like it or not. That's why I would like to have a substitute motion.
- We have a main motion and an amendment, I think we can still have a substitute motion made while that's pending before we act on those. You could make a substitute motion at this point and it would substitute for the referral motion and its pending amendment.

A substitute motion was made by Goodhart, seconded by DeChant, to **DENY INITIAL APPROVAL**. The motion passed on a vote of (7-2) with O'Kroley and Harrington voting no.

The motion to adopt the motion to **DENY INITIAL APPROVAL** passed on a vote of (5-4) with O'Kroley, Harrington, Slayton and Asad voting no.

**ACTION:**

On a motion by Goodhart, seconded by DeChant, the Urban Design Commission **DENIED INITIAL APPROVAL**. The motion was passed on a vote of (5-4) with O'Kroley, Harrington, Slayton and Asad voting no.