

ADDENDUM

PLANNING DIVISION REPORT DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT January 23, 2008

RE: I.D. NO. 06572 Zoning Map Amendment Rezoning 119-125 North Butler Street and 120-124 North Hancock Street to PUD-GDP, AND Demolition Permit

1. Requested Action: Approval to rezone the properties at 119, 123 and 125 North Butler Street, and 120 and 124 North Hancock Street, from the R6 General Residence District to the PUD (GDP) Planned Unit Development (General Development Plan) District to allow future construction of a new 38-unit apartment building on the Butler Street frontage as part of a project that will also incorporate and continue the current use of the two 2-unit houses on the Hancock Street frontage **AND** approval of a demolition permit for the three existing houses located on North Butler Street.
2. Applicant: Cliff Fisher, Cliff Fisher Development, 107 North Hancock Street, Madison, Wisconsin 53703. Contact Person: James McFadden, McFadden & Company.
3. Report Drafted By: Michael Waidelich, Principal Planner.

Project Status:

This project was originally scheduled for Plan Commission consideration on July 23, 2007, but was referred at the request of the applicant to allow additional time to meet with neighbors and consider possible revisions to the proposed plans. Subsequently, the project was tentatively scheduled and then re-referred several times for similar reasons. The current project plans were submitted on January 2, 2008, and incorporate cumulative revisions made partly as the result of the discussions with the neighborhood held during the fall and winter.

While there have been a number of changes to the project from the earlier submittal, much of the background description and analysis is essentially the same, and was covered in detail in the Planning Division Report dated July 18, 2007. That report is attached and should be used for reference since much of the information in the report is not repeated in this Addendum except to note differences in the current plans from the earlier proposal.

The key issues to be considered in the review of this project continue to be the large scale and depth of the proposed new building compared to surrounding neighborhood structures; the unusual "through block" design of the project which could limit future consideration of more comprehensive approaches to redevelopment of other properties on this block; and the lack of a detailed neighborhood plan that could provide specific recommendations on land use, density and design issues, and an articulated vision to guide future redevelopment and/or preservation in this portion of the neighborhood.

The following sections of this Addendum Report summarize important changes to the proposed project and their effect on the analysis and conclusions regarding the project.

Project Description

The proposed project is a planned unit development on five existing lots extending through the one-hundred block between North Butler Street and North Hancock Street. To accommodate the project, the buildings located at 123 and 125 North Butler Street will be demolished and the existing building at 119 North Butler Street will be moved to another location (520 East Johnson Street). The two existing buildings at 120 and 124 North Hancock Street, each with two three-bedroom apartments, will be retained and converted to condominiums. Three existing garages in the rear yards of the five properties will be demolished.

A new four-story building will be constructed on the combined Butler Street sites. This building will extend back to about 10 feet from the current rear lot lines at mid-block. The depth of the proposed building has been reduced a bit compared to the earlier proposal, which extended virtually to the rear lot line. The underground parking level now extends all the way to the rear of the two buildings on Hancock Street that will be retained, and as a result, the planted open space on the roof of the parking level is larger and provides a shared amenity and recreational space for all three buildings. As before, the parking level will be accessed from Hancock Street via a new entrance ramp constructed on the alignment of the existing driveway between the two houses. A level segment of driveway will be provided just beyond the sidewalk to facilitate drop-off to the houses. Compared to earlier plans, the "hump" in the ground above the roof of the parking structure has been eliminated, and the open space is essentially a level extension of the rear yards to the south, although there is some grade change at the north edge due to the underlying topography of the block.

The design of the new four-story building is similar to the earlier proposal, and is intended to reflect characteristics of the predominant housing type on this block, which is comprised primarily of large gable-roofed houses. Changes to the front facade include modifications to the set-back center gable, which is now "clipped," and elimination of direct access via depressed entry courts to the lower level units facing Butler Street. Details of the corresponding changes to the design of front steps are unclear from the plans submitted since the site and landscape plans appear to be inconsistent with the revised front elevation. If each front building element (left, center and right) has its own separate steps, this might enhance the illusion of three separate buildings, but it also might make the center entrance less engaging. The intended entry treatment should be further detailed in a future SIP for this project. Additional detail has been provided for the building entrance on the ground floor of the north side of the building, including showing the walkway out to Butler Street. An outdoor parking area with 20 bicycle stalls is located adjacent to this side entrance.

Additional detail has also been provided for the building entrance located at the northeast corner of the building on the parking level roof. The northeast building entrance opens on to a system of decks and walkways which extends across the open space at the rear of the building and connects with another raised deck at the rear of the two Hancock Street buildings. This system of decks and walkways can be accessed from the main hallway on the first floor of the Butler Street building and from both Hancock Street buildings, and will enhance the central open space as an amenity to be shared by the development as a whole.

Limited information is included specifying building materials, although possible materials are indicated on renderings submitted with the application. If this project is approved, additional

information regarding building details and materials will be included with a future Specific Implementation Plan application.

The new Butler Street building is now planned to have 38 apartments, compared to 34 units in the earlier submittal. There will be two 2-bedroom units, twenty-two 1-bedroom units, and fourteen studio units. The previous plan included more 2-bedroom units and fewer efficiencies. The parking level still has 38 enclosed parking stalls, including two designated handicap spaces near the elevator. The project now has a total of 42 units (counting the four 3-bedroom units in the two Hancock Street buildings), so there will be slightly less than one parking stall provided per unit. There are now 20 bicycle parking stalls planned in the parking garage, with 18 outside bicycle stalls near the side first floor building entrance. An inside trash enclosure is located at the eastern end of the garage level, just within the entrance, as previously.

The landscape plan indicates a fairly dense planting of shrubs and other plants around the front porches and entrances, but the plan submitted does not seem to reflect the changes to the front steps and entries shown on the elevations. Clarification of the landscape plan for the Butler Street setback area will be required as part of a future SIP if this project is approved. There is little planting along the side walkway, presumably to allow space for the bicycle parking, but some landscaping is indicated elsewhere along the two side facades. As before, two existing walnut trees at the northwest corner of the Butler Street rear lots will be retained. It is also proposed to provide additional soil depth within the rear open space area above the two pillars supporting the garage roof to allow larger trees to also be planted at these locations. Additional information regarding landscaping and other improvements in this open space will be provided with a future SIP if this project is approved.

Consistency with Adopted Plans

The information in the July 18, 2007 Planning Division Report regarding the relationship of the project to adopted City plans (or lack of plans) isn't meaningfully affected by the modifications to the project plans, and the reader is referred to that report for a detailed discussion of the issues. Note, however, that the change in the dwelling unit mix has increased the number of units from 38 to 42, and as a result, has increased the project density from 80 units per acre to 89 units per acre, compared to the 16 to 60 units per acre broadly recommended in the *Comprehensive Plan*.

Building Design and Compatibility with Surrounding Properties

The information in the July 18, 2007 Planning Division Report regarding the design of the project and compatibly with surrounding properties is only marginally affected by the proposed revisions to the project. There have been modifications to the front facade of the proposed new Butler Street building that are intended to make the facade more compatible with other structures along the street, including clipping the center gable and eliminating the steps down to below-grade entry courts to the lowest level units. A better indication is provided illustrating how the two Hancock Street buildings will be integrated into the project and how they will relate to the open space, although additional details will be required in later phases of the project if this GDP is approved.

Although other types of structures are present, the predominant character of this block on both the Butler and Hancock Street frontages is large, older houses, including some originally built as two-flat or three-flat structures, as well as single-family houses later converted to apartments and

a scattering of remaining single-unit dwellings. As noted above, the design of the new Butler Street building is intended to reflect characteristics of the predominant housing type on this block, which is comprised primarily of large gable-roofed houses---although most are two or two-and-one-half story buildings while the proposed building would be four-stories. The design modifications made to the earlier proposal were in response to neighborhood input, but whether they have resulted in a project with an acceptable degree of compatibility with the surrounding neighborhood character is a judgment call, and full consensus probably is unlikely.

The greatest difference between the design of the proposed Butler Street building and other surrounding buildings continues to be its much larger size and extended depth. Although the revised treatment of the front facade makes the building appear more as a three-story structure from that viewpoint, it is essentially a four-story building extending back close to the existing rear lot lines, in a neighborhood characterized primarily by two and two and one-half story buildings with normal rear yards---although these yards are often dominated by dilapidated garages and parking. Staff also remain concerned that the proposed new building and its extended underground parking garage will effectively divide the block in half at the mid point and significantly limit future opportunities for a “whole block” solution to providing coordinated open space, shared parking or joint access to future additional developments that might be recommended after more-detailed planning for this neighborhood takes place. Staff are concerned that other developers may propose similar lot assemblies---perhaps a very deep development utilizing several lots on the Hancock Street frontage but taking access from Butler Street, for example. Or through other blocks within this part of the neighborhood. We have recently heard about one other through-block proposal which is in the early planning stages.

In addition, the changes to the proposed dwelling unit mix would result in even fewer two-bedroom units and more efficiency units compared to the original proposal. While this project is not alone in providing mostly smaller unit types, and not all locations are equally attractive locations for family housing, for example, staff continue to recommend that new housing developed in the Downtown/Isthmus area include more units suitable for larger households and longer-term residents. This project does not do that.

Urban Design Commission Action

The Urban Design Commission gave this revised project **Initial Approval** at their December 19, 2007 meeting, noting that the project had responded to neighborhood input and was improved over the original proposal, although several additional concerns that still need to be addressed were also noted. This project was also before the Urban Design Commission on November 5, 2007, when it was recommended for referral. It was noted at that time that the neighborhood needed to establish a policy and guidelines for the types of redevelopment they would support in this area. The original project proposal was recommended for rejection at the July 11, 2007 Urban Design meeting. This was a split vote, with some members recommending referral instead so the project could be redesigned to address the concerns identified with the proposal. (See attached reports)

Inclusionary Zoning

The proposed Butler Street building will consist entirely of rental units, and the four proposed condominium units in the two Hancock Street houses to be retained comprise less than ten owner-occupied units; so this project is not subject to inclusionary zoning regulations.

Demolition Permit Application for the existing houses as 119, 123 and 125 North Butler Street

As part of this proposed development, it is intended to demolish the existing buildings located at 123 and 125 North Butler Street, and to relocate the existing building at 119 North Butler Street to another site. [Note: a separate PUD application to relocate this building to 520 East Johnson Street will be considered concurrently with the subject PUD application.] As described in the analysis in the July 18, 2007 Planning Division Report, staff can support demolition of the buildings at 123, and 125 North Butler Street, but not the building at 119 North Butler Street. However, staff does support relocation of the house a 119 North Butler to an alternative suitable site, as currently proposed by the applicant.

In the event that this project is approved, staff recommend a condition requiring approval of all necessary zoning approvals to allow 119 North Butler Street to be relocated prior to the recording of a PUD (SIP) for the project. No demolition or removal of any building may occur before a PUD (SIP) is approved and recorded. A reuse and recycling plan will be required for the two buildings to be demolished.

REVISED CONCLUSION:

Proposed Rezoning from R6 District to PUD (GDP) District

This proposed development would utilize five existing lots on two street frontages to create a new building on the three North Butler Street lots that would be taller, wider, more dense, and much deeper than the other buildings on this block. The parking garage for the new building would extend to the back of the two buildings on North Hancock Street that are proposed to remain and be included as part of the planned unit development. The garage roof would be covered with earth and planted with grass and other plantings to create a shared open space for the three buildings that would comprise the project. Although the open space conceals an underground parking structure, it would essentially appear as a continuation of the rear yards on adjacent properties. The revised plans propose a total of 42 dwelling units (38 in the new building and 4 in the two existing buildings) and a net density of 89 units per acre. This is outside the broad 16-60 units per acre range recommended for the First Settlement-Old Market Place Downtown Residential Sub-District in the *Comprehensive Plan*, but might be within the range of a more detailed plan for a specific sub-area within the district, or closer to the range if more 2-bedroom units were proposed. At present, however, no more-detailed plan exists.

The proposed project has design elements that do reflect the current neighborhood context fairly well, and staff consider the design changes since the earlier proposal to be good responses to concerns expressed by neighborhood residents. But the proposed Butler Street building is still very large relative to the existing surrounding structures. In the absence of any plan that would recommend redevelopment of this block with buildings of the scale and density currently being proposed, it is difficult to consider the project to be wholly compatible with the existing character of the existing neighborhood. On the other hand, design changes have been made to the project in response to community input, and the project has the support of at least some area residents, although the extent of support is somewhat difficult to gauge in this loosely organized neighborhood. At least in theory, a future neighborhood plan might recommend that selective infill development on this block could have the increased mass, scale and density represented by

the proposed project. (Presumably, the neighborhood preference for “house-like” design in new structures, as distinct from “urban apartment” for example, suggests that wholesale replacement of the existing housing stock is not envisioned.) However, at present there is no detailed plan for the area; and a future plan might just as easily recommend conservation and rehabilitation of the existing housing on this block, and that any new development be generally consistent in mass, scale and design with what is already there.

Staff also continue to have reservations regarding the through-block character of the proposed development and its potential to limit future redevelopment options. But the likelihood of a future creative “whole block” approach to the parking, access, and open space needs of both existing and potential development actually occurring is unknown, and the combined open space in the revised proposal could be considered a more useable and attractive improvement over the current mish-mash of garages and gravel parking areas.

It is also noted that the taller, larger, more-dense component of the project is located on the Butler Street frontage, near the edge of the residential area where more intensive uses already exist across the street, or may be developed in the future; while the two existing houses located on the “interior” Hancock Street frontage are to be retained and renovated. Distinguishing the downtown “edge” of the neighborhood from the interior residential streets might provide a conceptual basis for limiting the scale of future redevelopment proposals based on the supposed precedent that approval of this project might suggest. Even so, staff are concerned with the potential for similar large-scale *ad hoc* redevelopment proposals that would similarly need to be reviewed without the benefit of a guiding neighborhood plan for the area.

On balance, while Planning Division staff consider the changes to the proposed project to be good ones, we cannot definitively conclude that the changes are sufficient for this project to meet all the standards for approval of planned unit developments. In particular, staff question whether the project can demonstrate that criteria 1.a. and 1.b., have been met:

1. Character and Intensity of Land Use. In a planned unit development district the uses and their intensity, appearance and arrangement shall be of a visual and operational character which:
 - a. Are compatible with the physical nature of the site of area.
 - b. Would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the general development plan.

However, in the absence of a detailed plan, whether or not the project is compatible with the neighborhood character and planning goals is to a large degree something that the neighborhood itself has to address, and staff appreciate the multiple incremental changes that have been made to the project in response to concerns expressed by staff, the neighborhood, the Urban Design Commission and others. Based on the information available to staff, it appears that, on balance, many neighborhood residents now appear to support this project, although some opposition also continues to be expressed. If the Plan Commission is comfortable that the project has support from the neighborhood that could be considered generally equivalent to a planning recommendation that this the type of redevelopment that the neighborhood wants to see at this location, then a conclusion that the standards for approval can be met would not be unreasonable.

Demolition Permit Application

Staff do not disagree with the representation made in the application regarding the condition and character of the existing dwellings at 123 and 125 North Butler Street proposed for demolition. Provided that the proposed alternative use of the site was found acceptable, staff believe that the standards for approval of a demolition permit could be met, and would support approval of a demolition permit for these two buildings, subject to approval of a reuse and recycling plan by George Dreckman, Recycling Coordinator, prior to issuance of the permit. If, however, the Plan Commission does not approve the planned unit development, then the application for a demolition permit for these two buildings would not meet the standards for approval regarding the proposed re-use of the property.

Staff also concur with the representations of the applicant regarding the condition, character and potential for renovation of the existing house located at 119 North Butler Street. Staff would not support the demolition of this dwelling, but do support its relocation, again provided that the proposed PUD encompassing its current site was approved so that the application for a permit could meet the applicable standards regarding the proposed reuse of the property.

REVISED RECOMMENDATIONS:

Proposed Rezoning from R6 District to PUD (GDP) District

If, after reviewing the materials in the application and the Plan Commission packet, and hearing the testimony at the public hearing, the Plan Commission can conclude that all of the standards for approval of planned unit developments can be met, Planning Division staff recommend that the request to rezone property at 119, 123 and 125 North Butler Street and 120 and 124 North Hancock Street from the R6 General Residence District to the PUD (GDP) Planned Unit Development (General Development Plan) District be **approved**, subject to comments of the reviewing agencies and the following condition:

1. All necessary approvals to allow the house at 119 North Butler Street to be relocated must be approved prior to recording a PUD (SIP) for the project.

If the Plan Commission is unable to conclude that all of the standards for approval of planned unit developments can be met, staff recommend that the proposed project be **placed on file**.

Demolition Permit Application

If the Plan Commission recommends approval of the Planned Unit Development for 119, 123 and 125 North Butler Street and 120 and 124 North Hancock Street, the Planning Division staff recommend that the application for a demolition or relocation permit for three existing houses located at 119, 123 and 125 North Butler Street be **approved** subject to comments of the reviewing agencies and the following conditions:

1. No demolition or removal of any building may occur before a PUD (SIP) for the project is approved and recorded.
2. A reuse and recycling plan will be required for the two buildings to be demolished.

AGENDA # 4

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: December 19, 2007

TITLE: 119, 123 & 125 North Butler Street and
120 & 124 North Hancock Street –
PUD(GDP) for a New 38-Unit Apartment
Building with the Retention of Two
Existing 2-Unit Buildings. 2nd Ald. Dist.
(06302)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: December 19, 2007

ID NUMBER:

Members present were: Lou Host-Jablonski, Marsha Rummel, Richard Wagner, Richard Slayton, Jay Ferm and Todd Barnett.

SUMMARY:

At its meeting of December 19, 2007, the Urban Design Commission **GRANTED INITIAL APPROVAL** for a new 38-unit apartment building. Appearing on behalf of the project were James McFadden, Cliff Fisher, Bert Stitt, Gary Tipler and Buck Sweeney, all representing Cliff Fisher Development; Lou Ann Volkmann, Mark Volkmann, Bezhan Surkhov, Tom Geier, Erik Minton, Ald. Brenda Konkel, District 2, Kim Elderbrook, Blake Fisher, Reese Fisher and Ilse Hecht. In addressing the Commission's previous review of the project, McFadden noted the following:

- The garage provides for 38 rental units within the new structure at 121 North Butler Street with 38 underground parking stalls. The new buildings being maintained on the thru-lot off of the property's North Hancock Street frontage provide for 4 condominium units. The Hancock Street buildings will be renovated to facilitate their use and sale as condominiums. All parking is below grade within the new structure. An underlying reason for the development under a PUD zoning is to provide for development of three buildings on a single zoning lot where one residential building is normally allowed.
- Issues relevant to planning, no plan for this area within the downtown. In review, the prospective renderings in various building elevations emphasize modifications to the new building's front façade (North Butler Street) which now features raised porches, multiple with three front stooped entries with an alternative accessible entry to the side or lower level.

Following the presentation, various members spoke in favor of the project referencing the following:

- A neighborhood meeting held on November 7, 2007, at the request of the Urban Design District, where the James Madison Park District of the Capital Neighborhoods, Inc. Neighborhood put it in at three different levels regarding the project. Vote 1: Capital Neighborhoods Inc. members only – 9 in favor with 1 against; Vote 2: Any person residing in the James Madison Park District – 18 in favor with 3 against. Along with Vote 3: All persons in attendance at the meeting – 25 in favor with 5 in opposition.

- Be better place to live. Project provides diversity in the provision of student housing and condominiums. Issues with flawed neighborhood processes support the development proposal.
- The project provides for an accessible building with accessible parking that features limitations on options for accessible housing.
- Petition in favor of the project was circulated through the Commission noting the project's favorability signed by 129 residents within the immediate area of the project.

Following testimony, Gary Tipler spoke in favor of the project noting the perspective on building issues existing and proposed.

Following public testimony, Ald. Konkel spoke in opposition to the project noting the following:

- Concern with the scale of the project where bigger is not necessarily better.
- Porch issue is a concern. New design makes an attempt to be like rest of neighborhood.
- Concern with the precedent of a mid-block development consisting of three lots.
- Notes what happens here will affect other areas; on-going development in adjoining areas.
- Need to protect existing houses from traffic with the utilization of bollards.
- Generally opposed to the project issue with planning, a missed opportunity to address issue in area with a planning process. Feels that a 3-story building may be more appropriate.

Following the testimony by Ald. Konkel, the Commission noted the following:

- Previously the neighborhood was not involved with the project, the neighborhood got involved. New design looks smaller but need a planting plan that works with the scale of the building. A line of 16 Burberry ? shrubs needs to be replaced with small under-_____ plantings with trees with a rethought of the path plan which impedes gathering areas.
- Provide a level area in the drive between the two houses to be maintained to facilitate vehicle access and movement before sidewalk area.
- The design featuring the inset roof at the middle is preferred. Appreciate work done on the project but can't get past precedents of the mid-block development. The accessible entry on the side of the building still needing more work.
- Next time provide roof plan with fully detailed plans. All elevations, a full grading plan.
- Next reexamine the amount of space between windows compared to adjacent and existing buildings in addition to providing an opportunity to incorporate vertical pilasters ?.
- With the landscape plan arrangement any activity areas need a better flow, something different.
- With the grading and topographic plan, it shall include all details on the roof treatment as well as needing to provide a comprehensive site context in bulk information.
- Need more work on accessible entry. Need more diversity in unit type and size. Units are too tight and small. Size of units doesn't lead to people staying more than a couple of years. Relevant to the front façade treatment like the middle version; not the big full gabled version.

ACTION:

On a motion by Wagner, seconded by Ferm, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a vote of (5-1) with Rummel voting no. The motion for initial approval required address of the following:

- Adjustments to the landscape plan is noted.
- A provision of a driveway step platform before sidewalk where the level area is to be a minimum of 20 feet in length.

Following the motion, the Commission generally noted the project was a good attempt to fit the block with mid-block development worth considering.

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 ratings for this project are 5, 6, 6, 6.5, 7 and 7.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street

| | Site Plan | Architecture | Landscape Plan | Site Amenities, Lighting, Etc. | Signs | Circulation (Pedestrian, Vehicular) | Urban Context | Overall Rating |
|-----------------------|-----------|--------------|----------------|--------------------------------|-------|-------------------------------------|---------------|----------------|
| Member Ratings | 6.5 | 7.5 | - | - | - | - | 7 | 7 |
| | 6 | 7 | - | 5 | - | 5 | 6 | 6 |
| | - | - | - | - | - | - | - | 5 |
| | 6 | 7 | 4/5 | - | - | 5 | 7 | 6 |
| | 7 | 6 | - | - | - | - | 8 | 7 |
| | 6 | 7 | 4 | 6 | - | 8 | 7 | 6.5 |
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General Comments:

- Really, this is about the best thru-block solution that we've seen in years. The applicants have listened and made continual improvements.
- Much improved. But still concerned about precedent of 3 lot development, filling interior of lot. Units may be too small to attract long-term, non-student residents.
- Incorporate native understory trees, especially at front lawn and along south elevation. Plantings along front of building should be representative of perspective sketch (Amelanchier, Acer Pennsylvania).
- A long haul. It's come a long way.

AGENDA # 7

City of Madison, Wisconsin

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| REPORT OF: URBAN DESIGN COMMISSION | PRESENTED: November 7, 2007 |
| TITLE: 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street - PUD(GDP) for a New 38-Unit Apartment Building with the Retention of Two Existing 2-Unit Buildings. 2nd Ald. Dist. (06302) | REFERRED: REREFERRED: REPORTED BACK: |
| AUTHOR: Alan J. Martin, Secretary | ADOPTED: POF: |
| DATED: November 7, 2007 | ID NUMBER: |

Members present were: Lou Host-Jablonski, Chair; Marsha Rummel, Bonnie Cosgrove, Bruce Woods, Richard Slayton, John Harrington and Jay Ferm.

SUMMARY:

At its meeting of November 7, 2007, the Urban Design Commission **REFERRED** a PUD(GDP) for a new 38-unit apartment building with retention of two existing 2-unit buildings located at 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street. Appearing on behalf of the project were James McFadden, Fisher Development; Att. Buck Sweeney, Axley Brynelson; Gene Devitt, Phil Hees, James Madison Park District Steering Committee; Ilse Hecht, and Ald. Brenda Konkell, District 2. As an update to the Commission McFadden provided a summary of activities on the project since the Commission's rejection at its meeting of July 11, 2007. McFadden noted that several modifications have been made to the project in response to the Commission's prior comments where in subsequent meetings with Planning staff it was suggested that the project return for further consideration for further review of modification in address of previous issues. McFadden then provided an overview of the various changes to the development emphasizing details as to the green roof structure of the below grade enclosed parking facility within the building, along with enhanced details providing context as to the building's bulk and mass, as well as architectural detailing in juxtaposition with existing residential development on the block. Following the presentation Eugene Devitt noted his objection to the project as proposed, referencing previous statements with prior consideration of the project relevant to building mass being inconsistent with the character of the neighborhood, its disruption of a historical intact block, issues with the height and mass of the building not fitting in with the rest of the neighborhood, the use of the midblock for below grade parking as part of the building inconsistent with the character of the block, as well as original houses, in addition to the porch and lower level exposed units inconsistent with surrounding adjacent residential structures. He further noted the houses to be demolished could be restored. Att. Buck Sweeney spoke in favor of the project and distributed a petition in favor of the project signed by adjoining neighbors, and provided further elaboration on the architectural improvements on the project since previously proposed. Ald. Konkell spoke in opposition, noting that the project was getting better, she did not support citing issues detailed by Devitt at this and the prior meeting. Konkell also noted the massing of the building does not fit into the block; the building is out of character and pushes the envelope for massing compared to adjacent structures, including issue with raised basement unit, as well as access issues. She further noted problems with development of the structure across mid-block and problems with neighborhood communications, including

concerns with building mass, height and density, not desired for neighborhood in light of the need for more planning to guide and support neighborhood redevelopment in the area where the project fit is in the wrong direction for the neighborhood. Following testimony the Commission noted the following:

- The raised structure is still out of scale with the neighborhood.
- Still provides for mid-block development, establishes a poor pattern for future development.
- Building changes character of a former single-family area.
- Building is out of scale with adjoining homes; issue of alternative to what will fit in context with the block.
- Don't buy argument that if approved will happen everywhere.
- Konkel further noted problems with combination in width and height of building exceeding everything on the block, effecting three blocks combined together where adjacent development maintains structures on individual lots with porches an issue and their prominence on side and front elevations inconsistent with the extent on adjacent residential structures.
- The through block development will disrupt patterns of existing residential development; need to resolve impact of increased vehicular access between two houses; can't support this project as proposed.
- As designed too massive, doesn't fit in context with neighborhood, more massive than adjoining, too high.
- On fence relevant to support of the project. The building's size encroaches on the street, leans on adjoining houses.
- Too many things wrong with basic approach of design; too abrupt of a change.
- Design issue is less critical than the policy issue about what guides redevelopment of the block.

ACTION:

On a motion by Harrington, seconded by Woods, the Urban Design Commission **REFERRED**. The motion was passed on a vote of (6-1) with Rummel voting no. The motion cited the need for the neighborhood to establish a policy issue as to where and what it feels about what the guidelines for redevelopment are for support of redevelopment in this block and area.

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URBAN DESIGN COMMISSION PROJECT RATING FOR: 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street

| | Site Plan | Architecture | Landscape Plan | Site Amenities, Lighting, Etc. | Signs | Circulation (Pedestrian, Vehicular) | Urban Context | Overall Rating |
|-----------------------|-----------|--------------|----------------|--------------------------------|-------|-------------------------------------|---------------|----------------|
| Member Ratings | 4 | 5 | 4 | 4 | - | 4 | 5 | 4 |
| | - | - | - | - | - | - | - | 5 |
| | 5 | 5 | 5 | - | - | 4 | 4 | 4.5 |
| | 4 | 6 | 3 | - | - | 3 | 5 | 4 |
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General Comments:

- Bad precedent for intact block of single-family housing. Scale and massing out of proportion. Traffic impact.
- Problematical. Neighborhood needs to step up and be clear.
- Through-block design is problematic in this neighborhood.
- The structure itself is fine, but it is not clear that it fits into the neighborhood – or that it could.

Waidelich, Michael

From: Murphy, Brad
Sent: Thursday, December 13, 2007 4:48 PM
To: Waidelich, Michael; Firchow, Kevin
Subject: FW: Fisher North Butler Street Development Proposal Addendum
Follow Up Flag: Follow up
Flag Status: Red

Michael, This is for the case file and your use in the report. Also needs to go to Plan Commission with the packet.

Brad Murphy
 Planning Division Director
 Dept. of Planning & Community & Economic Development
 PO Box 2985
 Madison WI 53701-2985
 608 266 4635
 608 267 8739 FAX

From: Brenda Konkel [mailto:brendakonkel@gmail.com]
Sent: Monday, December 10, 2007 6:19 PM
To: Phil Hees
Cc: Murphy, Brad; Martin, Al; Rudy and Ilse Hecht; bert@bertstitt.com; David C. Williams; Paula Gilbeck; Erik Paulson; tbolstad@charter.net; Jessa Lutz; chase.nicholson@gmail.com
Subject: Re: Fisher North Butler Street Development Proposal Addendum

Here's the notes that I thought we slightly more helpful for the UDC. Admittedly, there wasn't alot of agreement, but I think this reflects the discussion:

There was concern that the building is out of scale with the neighborhood. It was **agreed** that it is bigger than everything else on the block. However, there was an acknowledgment that the new building was better than what is currently there and it does physically echo the style of the houses on the block.

The issue of the porches was a concern. There was **agreement** that the porches are not similar to what is currently there and while the effort was appreciated, there was concern that the porches were out of place.

There was a **clear split** in this next issue, but several were concerned about this mid-block development and what it meant for the development of the rest of the neighborhood. This concerns was determined to be greater than the size/mass of the building. There was an **agreement** that while some on the UDC did not think that if this was approved it would impact future development, however, we have three other development projects in this small neighborhood.

There was **no agreement** about if the larger building changes the character of the neighborhood that is primarily single large houses.

There was **agreement** that there was no concern about the impact of the traffic on the City streets. However, there was concern, but **no agreement** about the driveway that runs between the two condos. At the last meeting there was a suggestion that some cement poles to prevent the houses from being hit.

This is a summary of what I said at the meeting and I believe everyone was in agreement that it was accurate. I think it would be more informative than just a vote count. Someone let me know if you disagree.

12/26/2007

ll

On Dec 10, 2007 5:45 PM, Brenda Konkel <brendakonkel@gmail.com> wrote:

Phil -

Who wrote this, it was my understanding that there was quite a bit more input that the group provided issue by issue where either we had consensus or did not. My notes say something that is much more detailed. Simplifying things to just the votes is nearly meaningless given that the UDC had specific concerns that the group either agreed with or did not.

Brenda

On Dec 10, 2007 4:45 PM, Phil Hees <phil@mcbridecompanies.com> wrote:

Hello All-

Please find attached the Advisory Statement Addendum formulated from the last meeting for Clifford Fisher's North Butler Street proposal. Hopefully, all is in order, but should you have any questions, please contact me via email or at 284-1800.

Thanks!

Phil Hees

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**Please note: I'm in the process of switching to gmail, so you can delete the "yahoo" address and brendakonkel@gmail.com instead. My tenantresourcecenter.org (TRC) and prodane.org (PD) addresses are still best for matters related to those two organizations. And my district2@cityofmadison.com address is still best for City business.

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**Please note: I'm in the process of switching to gmail, so you can delete the "yahoo" address and brendakonkel@gmail.com instead. My tenantresourcecenter.org (TRC) and prodane.org (PD) addresses are still best for matters related to those two organizations. And my district2@cityofmadison.com address is still best for City business.

James Madison Park District

Advisory Statement Addendum

Fisher Development Proposal

121 North Butler Street

General Membership Meeting

November 28, 2007

During its November 7, 2007 meeting, the Urban Design Commission asked that the James Madison Park District hold a general meeting in order to more solidly form a neighborhood consensus regarding the Fisher Development Proposal for 121 N. Butler Street. On November 28, 2007 a general neighborhood meeting of the James Madison Park District was held that was attended by 30 people. The Fisher team presented an overview of the project and Brenda Konkel reported on the original comments and points of concern made by the Urban Design Commission. After the presentations, three separate votes were held as follows:

Vote One>> Capital Neighborhoods, Inc. members only: **9 yeas, 1 nay**

Vote Two>>Any person residing in James Madison Park District: **18 yeas, 3 nays**

Vote Three>>All persons in attendance at the meeting: **25 yeas, 5 nays**

6

James Madison Park District
Advisory Statement
Fisher Development Proposal
121 North Butler Street
October 29, 2007

This advisory statement represents a review by the members of the Steering Committee formed in early May, 2007 regarding a proposal to develop rental housing on a site located at 119, 123, and 125 North Butler Street as well as 120 and 124 North Hancock Street. After five separate steering committee meetings as well as four general neighborhood meetings, many points of concern and clarification were raised and subsequently addressed. A sampling of these include items such as massing, exterior materials, architectural design, scale, density, energy consumption, modern building standards, green space, traffic matters, affordability, construction noise, and demolition or relocation of the site's current houses.

Massing/Exterior Appearance/Design

The design of the proposed building offers relative design symmetry to the current block face in terms of height, exterior material appearance and design features. While moderately taller than the neighboring buildings, the gables, porches, clapboard siding, soffit/fascia detail, and windows add to the congruency of the streetscape.

The writers of the 1983 Fourth District-Old Market Place Neighborhood Plan Strategy wanted to "ensure that future residential development and rehabilitation activities are compatible with the existing architecture character of the neighborhoods". This proposal serves that goal relatively well. Additionally, the Plan Strategy also advised to "encourage development of vacant and underutilized land with new housing" This proposal supplies that in terms of large increases in density, underground parking spaces, usable open space, and the corresponding marked elimination of unsightly gravel parking areas and crumbling garage structures.

Neighborhood residents generally support their removal of the rear area garages, noting their unsightly and rundown condition. Additional comments spoke positively to the building height relative to the nearby parking ramp, 'balancing' the neighborhood, the substantial roof pitch matching nearby structures, and the addition of superior dwelling units relative to that which currently exist. Negatively, one neighbor was concerned that the roof line is out of place as well as the height of the front porches.

Density

The Plan Strategy also advised to “increase the housing supply in the area”. The proposed building addresses that goal well. The existing buildings on the site contain eight larger units; the proposal calls for the creation of between 34 and 38 smaller (six efficiencies, 23 one bedrooms, five two bedrooms) units for a sizable net gain.

Given the working-professional market focus of the proposed building, this gain will undoubtedly meet the requirements of a demographic segment of residents that want to live, work and play in Downtown Madison’s neighborhoods. This development is situated for an easy five-minute walk to bus stops, convenience groceries, churches, offices, and entertainment venues, thus contributing to the livability of a more densely populated downtown Madison.

There is a question from some as to whether increased density is truly what the neighborhood residents collectively desire.

Energy Consumption / Sustainability

The development team has stated its intention to incorporate a geo-thermal heating and cooling system for the proposed building which received strong accolades from the Steering Committee. Again, a major goal of the Plan Strategy calls “to hold down the cost of heating housing units” and to “improve energy efficiency of residential heating systems” with such a geo-thermal system most likely achieving this goal relative to lower initial cost, less efficient alternatives. This fact coupled with modern insulation, weather proofing, etc. will decrease the per unit energy consumption.

Building Standards

An aspect of this proposal that stands out for the Steering Committee is the fact that modern building standards, fire codes, handicapped accessibility, etc. are being met in place of antiquated and oftentimes dangerous current conditions. With the implementation of such things as emergency lighting, central fire alarms, sprinkler systems, and fire proofing, the overall gains in safety outweigh the loss of older housing stock.

Green Space

The proposed development will result in the net gain of 4,909 square feet of green space in addition to the net decrease of 7,894 square feet of surface parking and paved areas. This reduction in non-green parking and increase in green space is viewed as an improvement by the Steering Committee. Neighborhood residents expressed concern over whether or not grass, trees, etc. would be viable on the garage roof deck with the

project's architect speaking affirmatively to this issue. Also, many of the existing site trees will be retained.

Traffic Matters

The proposal calls for the elimination of nine surface parking spots, nine enclosed parking spots, and the creation of zero surface and 38 enclosed parking spots for a nearly one to one ratio of apartments to parking spots. The proposal will disallow any residential street permits for future residents. This entire equation was met with enthusiasm by the Steering Committee. The obvious gains in removing unsightly gravel parking areas and the corresponding cars are an improvement to the use of the site and the aesthetics of the neighborhood.

Affordability

Concerns were raised during at least one meeting that the new building will have higher rental rates relative to the current duplex-style buildings. With the demolition of, multi-resident dwelling units in lieu of smaller, reduced resident count units, the affordability of, for example, the student market, is diminished. Given this aspect, the concern is that the student market will be reduced and displaced, changing the overall demographics of the neighborhood.

Demolition/Relocation of Houses

The Steering Committee views the demolition of two of the three sited houses as an undesirable impact of this proposal. Counteracting this undesirable aspect is the fact that the development team has found a site for the relocation of the finest specimen of the three to an alternative site in the neighborhood at the corner of East Johnson Street and Blair Street. The Steering Committee supports this relocation plan. The two houses slated for demolition are visibly deteriorated and functionally and economically obsolete. While this facet is certainly unfortunate, the positive attributes of the proposed building as listed throughout this statement we feel will outweigh the regretful loss of the two houses at 123 and 125 North Butler Street. Ideally, the Steering Committee would definitely support the relocation of any old housing stock in close proximity whenever possible and practical.

Conclusion

At the most recent general neighborhood meeting on October 17, 2007, attended by 21 neighborhood residents, we addressed both the relocation element and the new construction. Greater than half in attendance supported both elements of the project. Of

those not in support, the main issues of concern are the height, affordability, roofline, and the potential construction period noise.

The Steering Committee supports this project and would like to see it move forward subject to governmental regulations and codes.

However, there is a divergent view offered by our guest member on certain issues relative to the proposal. Such areas of concern for this member include: the proposed building is too large for the site, the porch details are too high and do not match surrounding existing porch elevations, and strong opposition to the relocation of the 119 North Butler Street house. (See attached 'position' statement already submitted to the Urban Design Committee at its July 11, 2007 meeting.)

James Madison Park District Development Steering Committee

Ilse Hecht, 141 N. Hancock Street Resident

Phil Hees, 12 N. Butler Street Resident

Guest Member

Gene Devitt, 28 E. Gilman Street Resident / Mansion Hill District