From: John Feith [

Sent: Tuesday, January 27, 2015 11:13 AM

To: Martin, Alan

Cc: RSlayton@erdman.com

Subject: RE: Urband Design Commission meeting on 1200 E Washington

Greetings,

I'm including the final Tenney Lapham Neighborhood Association Steering Committee report for the 1200 E. Washington development proposal to be presented tomorrow 1/28/15 (file 36899).

Please distribute to commission members. It was sumbitted to the McGrath Property Group last week. It goes for TLNA Council endorsement on February 12. The TLNA Council, for the most part, approves what neighbors come up with in their steering committees.

I'm also including photos and documents submitted to the committee by members and neighbors.

It is my personal opinion, as a steering committee member and neighbor, that the 4.5 story proposal would please the majority of neighbors *if modified to 39' feet maximum height as UDD8 city ordinance requires*. The proposed 55' story building will tower over the neighborhood and not respect the scale of the neighborhood. Additionally, it will encourage 3 or 4 similar 55' tall buildings on the 1100 and 1200 blocks that will create a wall behind many single-family homes.

The 1100 and 1200 blocks bordered by E. Washington and E.Mifflin are unique in their 3-story designation in Urban Design District 8 due to the quantity of high-quality single-family homes and small apartments in them. The 3-story/39-foot height limit needs to be preserved, as all other buildings in the block are around 25' tall.

There is a great opportunity to create a section of E. Washington on these 2 blocks with modern architecture stylings to contrast with the manufacturing buildings on the other side of the street. The renovation of the Quanset Hut is an excellent idea and I strongly support creative architecture options for the 2 blocks.

Regarding the 2 proposed development options presented, it should be noted that the large majority of the Steering Committee:

"do not support either of the two options. Those Committee Members are not convinced that a development can't be presented that abides by current zoning code, the E. Washington Capitol Gateway Corridor Plan and the city-approved T-L Neighborhood Plan.

The primary objection to the 4.5-story option is that its height exceeds guiding laws and plans. In particular, the 4.5-story option would be 1.5 stories taller than the Urban Design District 8 (UDD-8), the T-L Neighborhood Plan and the Gateway Plan allow. The 3.5-story option would be 0.5 stories or about 6' above those same standards, but that option also results in removal of

the Quonset hut and increases the building footprint by about one-third, thereby contradicting the Committee's desire to retain or provide visual breaks along E. Washington."

Sincerely,

John Feith



KEY OBJECTIONS TO THE MC GRATH EAST WASH PROPOSAL

Adam Schesch, 1205 E. Mifflin St. owner (18 Cherokee Cir. #201, 53704, 608-255-9773)

I agree with the idea that the Tenny-Lapham neighborhood is a family oriented residential neighborhood. In particular, after the 1000 block, the residential buildings come very close to East Washington. No buildings should be built that cause damage to this residential area. I am a 40 year homeowner on the near East Side and owner of the 1205 E. Mifflin building for more than fifteen years. My major concern is that the current proposal IN THE FORM THAT THAT DEVELOPER DESCRIBES AS HIS PREFERED DESIGN will substantially intrude on the peace and serenity that my tenants currently enjoy on our quiet block.

My principle problems with the current design are as follows: ONE: THE HEIGHT. The proposal actually misrepresents both the number of stories and the height of the proposal. The proposal actually is an underground parking structure that is half above ground. Therefore the 3 story minimum building is 3.5 stories; the developer preferred building is 4.5 stories not including roof parapets. I strongly support absolute limits on the height (35-40' including the garage) and official stories, three.

TWO: THE DENSITY. The developer keeps repeating 70-80 units pre acre even though the current limits are 41-60 per acre. He has failed to provide quantity numbers for one, two, three bedroom apartments. It looks like he wants transient efficiency, one bedroom tenants with NO CHILDREN. 1/4-1/3 of my tenants are parents with children, the rest are renters who stay on the average three years in my building. They want quiet at night since they all work. The best way to ensure family access is through numbers of bedrooms per unit, leading to a lower density of units.

THREE: PARKING PROBLEMS. The developer makes it clear he has no intension of linking parking spaces to apartments. He misrepresents the number of car owners he will rent to. Mifflin St. is a highly congested street for parking now. There must be a one to one parking space ratio for the renters. NO SPILLOVER ON OUR BIKE LANE STREET WITH YOUNG KIDS PLAYING.

FOUR: RESTAURANT/TAVERN/MICROBREWERY. The developer says one thing to us and another to the newspapers. GREAT DANE, ALE ASSYLUM, etc. are not just a couple of cars, no noise at night. We need to ensure that there will be NO LIQUER LICENSES GRANTED TO ANYTHING ON THE 1200 BLOCK. We have too many bars in East Washing now. Restaurants should also be required to have off street parking available so they do not spill over!) 10 PM MXIMUM CLOSING!!

FIVE: REQUIRE BUSH, TREE, AND SOLID FENCE/WALL SCREENING FOR BACK FENCE NEIGHBORS FROM THE BIG BOX WITH ITS NOISY ROOF TOP PATIO AND GARBAGE DUMPSTER.

SIX: REQUIRE A SECOND ENTRANCE EXIT ON EAST WASHINGTON TO TAKE THE PRESSURE OFF OF FEW AND MIFFLING STREETS FROM THE ADDED TRAFFIC. There is no reason why the developer cannot provide an East Wash exit. Look at WEST Washington's exits for the high end condominiums near the Capital. If West Wash can take the exit, why cannot we?

I state for the record that I believe I will suffer material harm in both income and quality of renters if my currently quiet building area is dwarfed by a big box building with lots of noise coming from 7 day and week partiers and bar hoppers. I do not see why parents would want to rent, or non parents looking for stability and tranquility would rent under those circumstances. Often Flein

Sincerely,

Regulations affecting development on 1200 block of East Washington by Few St, Mifflin St and Curtis Ct. Maximum Bldg. Height **East Washington Capitol Gateway Corridor Urban Design District No. 8** 1.b Urban Design District Boundary 2.b. Capitol Gateway Corridor Blocks 3.b Capitol Gateway Corridor Sub Blocks 4.a 4.b. Gorham St 6.a. 7.d. 10 a 10.b. 13.b 14.a. 14.b. 18.a

Height is based on an average story height of 9-12' (11-15' for the ground floor). Buildings with greater floor heights shall have fewer stories accordingly. (15 + 12 + 12 = 39 feet max)

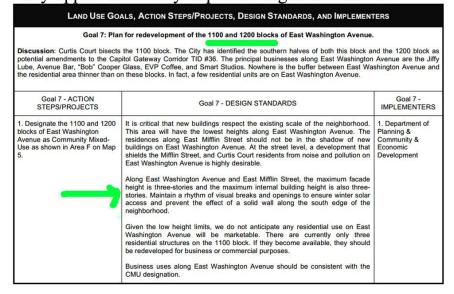
If this ordinance conflicts with other City regulations, however, the regulations which are more restrictive or which impose higher standards or requirements shall govern.

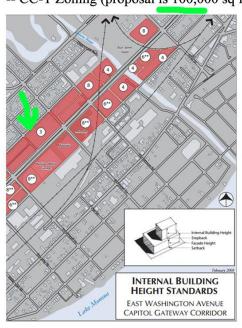
East Washington Corridor 1100 and 1200 block specific goals:



"Buildings shall not exceed twenty-five thousand (25,000) square feet gross floor area for an individual establishment or forty thousand (40,000) square feet gross floor area for a multi-tenant building." -- CC-T Zoning (proposal is 100,000 sq ft.)

City-approved Tenney Lapham Neighborhood Plan





As a group of neighbors who live in proximity to the McGrath proposal for the 1200 block of East Washington we submit these comments for consideration:

We believe it is especially important that new development along the North side of East Washington Ave., between Breeze Stevens Field and Dickinson St., respect the fact that this area is heavily residential, consisting of a neighborhood elementary school, a neighborhood nursery school, single family homes and small rental units of no larger than two stories. The TLNA plan and the East Washington Corridor Build plan base their recommendations on understanding the importance of preserving the neighborhood makeup of this area.

We are excited and pleased to see new development along East Washington that adds to the quality and mixed use of our neighborhood.

What we like about the 1200 block proposal:

- -The amount of green space suggested for the area between the proposed apartment building and back lots line which abuts neighborhood homes. We appreciate that the McGrath plan allows for greater than the required green space.
- -We like the proposed masonry building materials and large window. This fits in well with the existing older commercial buildings along East Wash.
- -We like the proposal for a Community Car parking spot.
- -We like the idea of preserving the Quonset Hut for its interesting and historical design. Its lower height will break up the mass of what we believe will eventually be additional multi-story buildings along this stretch of East Wash.

What we would really like to see:

- -A flat roofed building that has green/garden space for tenants. This neighborhood has a long tradition of backyard gardening and we'd like to see that continued through community garden opportunities for the tenants. Green space on the roof will also help to deal with water run-off issues that currently occur due to the fact that the homes abutting this property are at a lower level.
- -Consideration for possible traffic flow patterns that will keep as much additional car traffic off of the East Mifflin Bike Boulevard as possible. This could include working with the city to install a left hand turn lane from East Washington unto Few St.
- -Abiding by the 75% ground floor commercial zoning requirements with an emphasis on smaller, locally owned shops and services that serve the immediate neighborhood.

What is really important to us:

-A building height of no more than 2.5 stories, including the exposed basement. This is consistent with the plans for the area, keeps the size more in proportion to the surrounding neighborhood and is less likely to create shadowing and privacy problems. The largest

residential buildings in our neighborhood are no greater than approximately 5000 square feet. The four stories proposed would be a minimum of 100,000 square feet making it significantly out of proportion to what currently exists.

- -A maximum of 40-60 residential units with an emphasis on larger units to attract longer-term tenants and tenants with children who could attend our neighborhood elementary school and nursery school. The proposed 80 units would more than double the current occupancy of our block.
- -The green space between the building(s) and the residents of East Mifflin St. should contain plant material that will provide for visual screening and that construction will take extra precautions to prevent damage to the root structure of existing trees near the property border.

As residents of this neighborhood, who understand that our neighborhood is evolving and more development is inevitable, we are strongly committed to maintaining the neighborly, diverse and welcoming feel of the place where we live.

Summary Report TLNA Steering Committee Meeting for McGrath Property Group Proposal for the 1200 N Block of E. Washington January 26, 2015

This document presents the findings of the Tenney-Lapham Neighborhood Association's (TLNA) Steering Committee on the proposal by McGrath Property Group for 1200-1212 E. Washington Avenue and 9-13 N. Few Street.

NOTE: The TLNA Council is receiving this report for the first time as of the publication date above, hence has not accepted or considered the report, nor has it taken a position on the development proposal.

Contents:

- 1. Purpose
- 2. Committee Membership
- 3. Committee Process
- 4. TLNA Process
- 5. Summary Findings
- 6. Supplementary Materials and Findings

1. Purpose:

The report is provided to the TLNA Council as they prepare to consider the Council's position on the proposal. Prior to any Council Member forming a stance on the proposal the Committee encourages Council Members to carefully read this report and all materials on the TLNA Development Committee's website for the project which can be found at the link below:

http://www.danenet.org/tlna/development.html

2. Committee Membership:

The Committee has considered its members to be any neighbor who has come one of its meetings, hence does not have fixed membership. We prefer not to hinder input from the community and recognize that other commitments can prevent perfect attendance records, so agreed not to further limit membership.

These Tenney-Lapham neighbors have attended at least one of the Committee meetings:

Patrick Heck (TLNA Development Committee Chair), Patty Prime (TLNA President), Pat Kelly, Karla Handel, Nick Balazs, Rebecca Cuningham, Richard Linster, Jeff Reinke, Karen Banaszak, Kathy Nissley, Zach Simmons, Adam Shesch, John Feith, David Waugh, Ryan McCormick, Simon Puleo, Evan Wedell and Christine Knorr.

Additionally, District 2 Alder Ledell Zellers has attended the meetings. Tim Parks, from the Planning Division of Department of Planning and Community and Economic Development has

acted as an advisor, but has not attended meetings.

Note that many other neighbors have provided valuable input via email and other channels; their opinions are contained here, in meeting notes and/or separate links on the webpage.

The Committee formed as a result of the Dec. 9 neighborhood meeting called by Alder Zellers. At that meeting, the McGrath Property Group (MPG) presented their preliminary concept for the proposal and accepted neighborhood input. As is typical, attendees were given the opportunity to join the soon-to-form Steering Committee and other neighbors were invited via the TLNA listserv in all meeting announcements. Note that postcard invitations for the neighborhood meeting were sent by Alder Zellers to 1352 Tenney-Lapham (T-L) residences and businesses nearest to the proposal site.

For this particular committee, it is noteworthy that 13 of 18 members live within a block of the proposed development.

3. Committee Process:

Throughout the process the Committee aimed towards the issuance of this report rather than voting on a level of support for the proposal. Traditionally, TLNA Development Steering Committees have not chosen a committee position, but have instead issued summary findings such as these to the full TLNA Council.

The Committee has met twice – first on Jan. 5 and again on Jan. 15. The first meeting included the development team from MPG while the second did not. Email communication supplemented the communication process.

Depending on the desires and actions of the TLNA Council, as well as the input of the City and MPG, the Committee is prepared to hold additional meetings and provide additional feedback to the developer. These meetings can serve several purposes, including, but not limited to, supplements to or clarification of this report, follow-up design issues, consideration of a modified proposal or consideration of any new information from the developer.

4. TLNA Council Process:

Prior to TLNA Council Members forming a stance on the proposal, the Steering Committee encourages a careful consideration of this report and also recommends that they contact the Committee with any questions. The Steering Committee can be contacted via its Chair, Patrick Heck (pwheck@gmail.com), and if a Council Member so desires, she can be included in issuespecific email dialogues with Committee Members.

5. Summary Findings:

The Steering Committee supports many of the ideas presented by MPG proposal and desire to improve this blighted site. We appreciate the developer's willingness to meet with the Steering Committee and individually with neighbors on multiple occasions to listen to our concerns. MPG also readily provided information, building renderings, shadowing studies and

perspectives whenever the Committee made a request.

A large majority of the Committee favors MPG's saving and creatively renovating the front portion of the Quonset hut (Patriot Glass) on E. Washington. Several T-L residents contacted the Committee also expressing support for retaining the Quonset hut. Recognizing that future development is likely to occur on the same block and adjacent blocks, every committee member favors the visual break along E. Washington that the renovated hut could provide. To clarify – some are not enamored with the Quonset hut itself, but all are supportive of there being a variety of building styles and heights along the block, including smaller scale structures. The likelihood of development occurring on the city-owned parcel just to the east of the MPG site is significant, so proactively providing a visual break is highly desirable.

MPG presented two options to the neighborhood and Committee: one retains the front third of the Quonset hut and adds a 4-story building while the second removes the Quonset hut and adds a 3-story building. This report refers to the 3- and 4-story options as the 3.5- and 4.5-story options, respectively, because the partially aboveground parking level underneath the building adds at least 5' to the building's height.

The large majority of the Committee do not support either of the two options. Those Committee Members are not convinced that a development can't be presented that abides by current zoning code, the E. Washington Capitol Gateway Corridor Plan and the city-approved T-L Neighborhood Plan.

The primary objection to the 4.5-story option is that its height exceeds guiding laws and plans. In particular, the 4.5-story option would be 1.5 stories taller than the Urban Design District 8 (UDD-8), the T-L Neighborhood Plan and the Gateway Plan allow. The 3.5-story option would be 0.5 stories or about 6' above those same standards, but that option also results in removal of the Quonset hut and increases the building footprint by about one-third, thereby contradicting the Committee's desire to retain or provide visual breaks along E. Washington.

Both options consist of a new building of about 100,000 square feet. While recognizing that conditional use may be allowed for buildings of this size that meet the standards governing large retail developments in Sec 33.24(4)(f), the majority of the Committee objects to 100,00 square feet being substantially larger than the requirements in the applicable Commercial Corridor – Transitional (CC-T) zoning. Sec. 28.067 (4)(a) states "Buildings shall not exceed twenty-five thousand (25,000) square feet gross floor area for an individual establishment or forty thousand (40,000) square feet gross floor area for a multi-tenant building." Additionally, and perhaps most importantly, the T-L Neighborhood Plan says - "it is critical that new buildings respect the existing scale of the neighborhood."

Similar to the height and building volume objections, the large majority of the Committee is not supportive of the proposed density, 70-80 units on the one-acre site, particularly given the lower density of the nearby residential blocks. The proposed density exceeds the Land Use Recommendations in the T-L Neighborhood Plan for the 1200 block of E. Washington (Community Mixed-Used: average net density 41-60 units/acre.)

Ten of the eleven Committee Members that live within a block of the site and were present at the Jan. 15 meeting voiced their desires for the building to be shorter than 4.5 stories. All eleven wanted to either preserve the Quonset hut or have a smaller structure/building component in that spot to provide a visual break. A small minority of Committee Members are

willing to accept the 4.5-story option with the retention of the Quonset hut or similar visual break. Several neighbors, including another from within a block of the site, also contacted the Committee in support of that option.

The Committee recognizes that the CC-T zoning allows up to 5 stories in the 1200 block of E. Washington, Sec. 28.067(3), but believes that the height restrictions and other requirements in UDD-8, the Neighborhood Plan and Gateway Plan should not be modified nor an exception granted for this proposal. City ordinance Sec. 28.004(2) states "the regulations which are more restrictive or which impose higher standards or requirements shall prevail" and in this case that regulation is the 3-story maximum from the UDD-8 ordinance. A majority did not find the apartment building portion of the proposal to be unique enough or to supply sufficient benefits to the neighborhood to warrant changing or granting exceptions to code or plans.

There exists a range of opinions on the Committee concerning the apartment building's design: some feel the loft/warehouse look is appropriate while others feel it is too blocky and uninspired. Some backyard neighbors feel the large windows will decrease their sense of privacy. The Committee would like to continue providing input on design and exterior choices should a project move forward on the site.

The Committee appreciates that most of the residents who live within a block of the site are long-term homeowners and renters who are invested in the neighborhood and Lapham School. The 1200 block is unique in the E. Washington corridor in that its north-facing half is made up entirely of single-family homes and a few small apartment buildings. Similarly, the north side of Curtis Court, also adjacent to the proposal site, is all small scale residential. These residents recognize and appreciate that their homes are next to potentially large commercial or residential developments, but they want development efforts to follow the T-L Neighborhood Plan and city policies that demand respect for the character and existing scale of the nearby neighborhoods.

Further analyses of the proposal with respect to city code, ordinances and planning documents is provided in *Supplementary Findings* below. If a proposal for this site eventually is endorsed by the TLNA Council, we have also included a list of conditions that the Committee feels should be considered.

All Committee Members hope that MPG will address these concerns and bring forward an improved proposal that will provide benefit to the nearby neighborhood and Tenney-Lapham.

6. Supplementary Materials and Findings:

Further explanations and materials can be found at the TLNA Development Committee website.

- -- Pertinent sections of city code, ordinances and planning documents related to height/size/density:
 - Maximum Building Height is 3 stories, from *T-L Neighborhood Plan* and *UDD-8 Block 6b requirements*. In UDD-8 Sec. 33.24.15(e)(3), "height is based on an average story height of 9-12' (11-15' for the ground floor)." For a 3-story building, that would equate to a maximum height of 15' on the first floor plus 2 floors at 12' for a total of 39'. The 4-

story proposal option would be 52-55' and the 3-story option would be about 45'. The Plan Commission and Common Council will be required to approve any change to UDD-8.

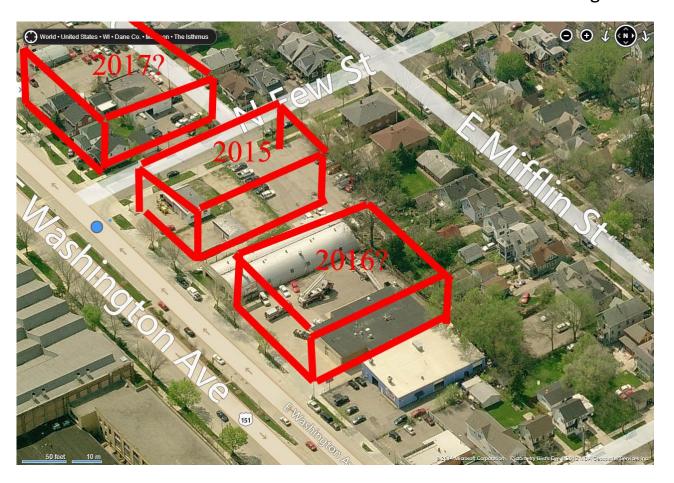
- "It is critical that new buildings respect the existing scale of the neighborhood" from *Plan for redevelopment of the 1100 and 1200 blocks of East Washington* Avenue in the *T-L Neighborhood Plan*. Buildings in neighborhood are mostly less than 2,000 square feet and 25' tall whereas the proposed new building is nearly 100,000 square feet and up to 55' tall.
- "Buildings shall not exceed twenty-five thousand (25,000) square feet gross floor area for an individual establishment or forty thousand (40,000) square feet gross floor area for a multi-tenant building. Buildings exceeding this size may be allowed as conditional uses, meeting the standards governing large retail developments in Sec. 33.24(4)(f)," from *Madison CC-T Zoning, Sec. 28.067(4)(a)*. The proposal is for nearly 100,000 square feet.
- "maintain a rhythm of visual breaks and openings to ensure winter solar access and prevent the effect of a solid wall along the south edge of the neighborhood." from *Plan for redevelopment of the 1100 and 1200 blocks of East Washington* Avenue in the *T-L Neighborhood Plan*. The proposal has a continuous 150' wide wall, up to 55' tall facing residential backyards. Shadow studies show that the building will block the morning sun in winter until past 10:00am for some E. Mifflin neighbors and early morning for some on N. Few and Curtis Court near the equinoxes and in the summer.
- designated Community Mixed-Used: average net density 41-60 units/acre *Land Use Recommendations* in *T-L Neighborhood Plan*. The proposal is for 70-80 units in one acre. We are concerned of the impact on the character of the surrounding neighborhood, traffic, and street parking that will be created by doubling the number of people living in the block.
- -- Pertinent sections of city code, ordinances and planning documents related to usage and character of surrounding neighborhood:
 - "at least seventy-five percent (75%) of the ground-floor area shall be non-residential uses(s)", Sec. 28-151, Dwelling Units in Mixed-Use Buildings (f), from *Madison City Zoning CC-T*. The proposal and discussion indicates only about 5% of the first floor would be commercial space, although conditional uses are permitted.
 - "for building with a street-facing width greater than forty (40) feet, at least seventy-five percent (75%) of the ground-floor frontage facing the primary street, including all frontage at a street corner, shall be non-residential", Sec. 28-151, Dwelling Units in Mixed-Use Buildings (e). The proposal and discussion indicates perhaps one-third of the E. Washington frontage would be commercial space, although conditional uses are permitted.
 - "Goal 2: Encourage the increase of owner-occupied housing and decrease the number of properties with absentee landlords and short-term rentals." From *T-L Neighborhood Plan*. The Committee encourages all developments to address this goal.

- from *Madison Zoning Code*, Sec. 28.151, "Buildings or Structures Exceeding Ten Thousand (10,000) Square Feet in Floor Area."
 - (a) "In any residential district, building floor area, bulk, height and massing may be limited as part of the conditional use approval in order to ensure compatibility with surrounding uses."
 - The above could be used by Plan Commission to assure that the adjacent neighborhood of single-family dwellings and small apartments is not negatively impacted.
- from *Madison Zoning Code*, Sec. 28.151, Buildings or Structures Exceeding Ten Thousand (10.000) Square Feet in Floor Area."
 - (b) "In any residential district, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood."

 The above should be used by to assure that the adjacent neighborhood is not negatively impacted."
- -- Other points to be taken into consideration should a proposal move forward at this site:
 - avoid damaging branches and roots of neighbors' trees during construction.
 - Neighbors should have input on all landscaping and fencing plans for the sections of the site that share property lines with E. Mifflin. It is recommended that landscaping include winter features so that some screening functions regardless of season.
 - assure proper drainage away from neighbors' backyards
 - since the location is 1 block from both Lapham Elementary School and Tenney Nursery, attracting young families (not just single professionals) should be a focus. A high percentage of 2- and 3-bedroom units would be ideal.
 - The impingement of headlights onto the properties across N. Few from the parking level driveway must be minimized and addressed to the satisfaction of those neighbors.
 - If a restaurant, tavern, bar or similar establishment is included, it should close no later than 11:00pm with outdoor spaces closing by 10:00pm.
 - Street parking on N. Few, Curtis Court and E. Mifflin by residents or business patrons should be discouraged. Residents of the proposed apartments should not have access to residential parking permits should that program be established on nearby streets. In addition, the applicant shall inform all tenants of this facility of the restriction in their apartment leases.
 - Traffic calming or diversion tactics should be used to keep all additional traffic generated by tenants or patrons of the project off of Curtis Court.
 - Additional car traffic generated by the building should be discouraged from turning onto the E. Mifflin bike boulevard. The City should be encouraged to allow the entrance/exit on E. Washington rather than N. Few.

- The developer should install an electric car charging station and consider a car-sharing spot.
- Indoor and outdoor bicycle parking should meet or exceed City requirements.
- Gardening and green space for tenants should be maximized on the ground level and/or on rooftops, thereby decreasing runoff and increasing energy efficiency.
- Commercial entities that locate in the project should appeal to neighbors and enhance the neighborhood.
- HVAC systems for the apartments and exhaust fans for the parking level should have minimal noise and should not impact the ability of neighbors to enjoy their backyards.
- There should be either an onsite manager or the owner should provide a direct phone line and email address for neighbors to use if there is a problem with tenants or the building.
- Due to the neighborhood's desire for visual breaks and variety, if the Patriot Glass Quonset hut is retained, UDD-8 should be modified to limit the height of that section of the block to the Quonset hut's height.
- If UDD-8 should be modified to permit a building taller than the current Block 6b maximum building height on this proposal site, the increased height limit should apply only to the percentage of Block 6b covered by the section of the new building which exceeds the height limit.

FUTURE DEVELOPMENTS ON 1100 and 1200 blocks of East Washington



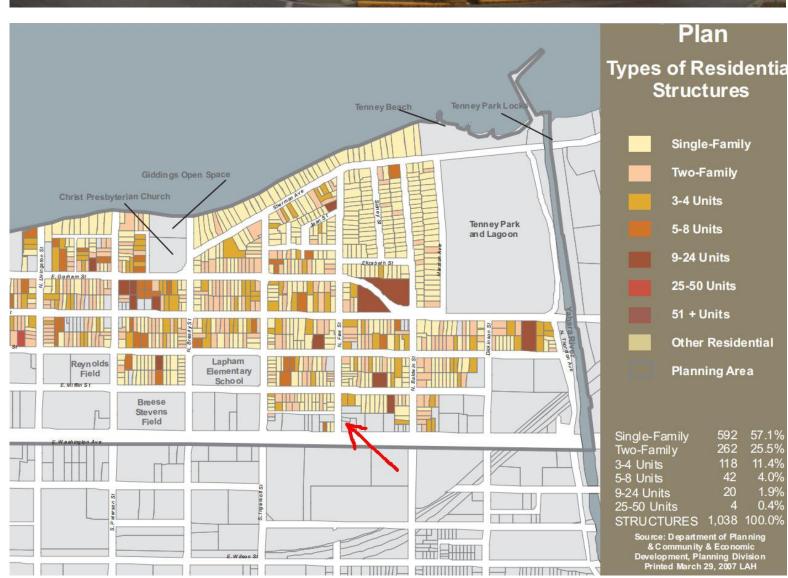
VIEW FROM BACKYARDS



EXISTING HOMES BEHIND PROPOSED DEVELOPMENT (1200 block of East Mifflin)







Sunrise and morning shadow estimates/extrapolations for 4.5 story/55' building

