

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: September 2, 2015

TITLE: 2107-2249 Sherman Avenue – Advisory Presentation at Planning Staff’s Request for a New Mixed-Use Development Containing 60 Market-Rate Apartments and Approximately 6,700 Square Feet of Commercial/Retail Space, in addition to a 6,667 Square Foot Commercial/Retail Pad Site to be Developed in the Future. 12th Ald. Dist. (39566)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: September 2, 2015

ID NUMBER:

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

SUMMARY:

At its meeting of September 2, 2015, the Urban Design Commission **REFERRED** giving an advisory recommendation on a new mixed-use development located at 2107-2249 Sherman Avenue. Appearing on behalf of the project were Kirk Keller, Suzanne Vincent, Jeff Lee and John Fish. Appearing and speaking in opposition were Nancy Thayer-Hart and Jim Thayer-Hart. Registered in opposition but not wishing to speak were Jennifer Argelander, Annie Johnson and Don Lindsay.

Jay Wendt, Principal Planner gave some background information on the project’s current status. The Plan Commission is requesting an advisory recommendation regarding the conditional use in terms of design and particularly standard number 9. Issues include how to address the corner, the flat iron option, the pass-thru under the building, the material choices and incorporation of brick.

Keller addressed the issues of concern of the Planning Division. He distributed new plans that show organization and massing at the point of Sherman and Fordem Avenues. At the center section on the Sherman side it feels much more welcoming through the drive-thru, and the general façade. The owner pushed for the use of quite a bit more brick and glass. The building itself is “cut open” in the center for a single-loaded corridor design. The stepback at the second floor along Sherman Avenue is now a true four-story form with a modest stepback at the second floor. A 20-foot setback is noted in response to Traffic Engineering.

Nancy Thayer-Hart spoke in opposition, not to development on this lot, but there is no rationale for going above and beyond the height limitation of 3-stories and a density recommendation of 40-units. In addressing the conditional use standards, her already established purpose is getting up early in the morning and watching the sun come up; with a 5-story building she will no longer be able to watch that. She will no longer get morning

sun into her house. Instead of being able to watch the park, she will see parked cars on her already narrow street because the parking being provided for this development is not realistic. This doesn't fit the area at all. There's been no demonstrated need for this development.

Jim Thayer-Hart spoke in opposition. If you drive down Sherman Avenue, there are no buildings that exceed 3-stories and none of them have a zero setback. This building doesn't fit the character of the neighborhood. Please consider how important it is that it matches the character of the neighborhood. This structure is too massive compared to the single-family homes nearby.

The Chair noted that the Plan Commission is the body that judges the conditional use standards. This Commission is concerned about design and makes a recommendation based on that.

Comments and questions from the Commission were as follows:

- At our last meeting we saw a design that on Sherman Avenue, the upper stories were pushed back significantly. I remember that being a positive feature to the design because it created this common public upper outdoor living area against the park. But you said you were told to bring all of your massing forward to Sherman? I just don't recall that from our last meeting.
 - No it wasn't at this meeting. This was when we met separately with Planning staff and Mr. Martin and what was told to us is that they are very much looking for a flat iron piece at the front. We responded to that, we're trying to look at these elements to get the point right. This could simply be layered also, but we responded to the discussion we had last Thursday with the point brought out.
- My question isn't really about the point, it's about the face along the park. The Sherman elevation essentially was setback significantly which created a greater, grander gesture to the park.
 - The length of this building has been shortened about 10-12 feet. This area has been widened, we tried to give more of an warehouse feel as you start to come out at the point where we're punching some of the store windows. Bear in mind that the mass that was in here is what caused us to get a more simplified form across the building where the previous design did have a one-to-one setback.
- The previous design was more successful in that setback along Sherman, and the infill of this void. I don't think anyone was excited about this parking vehicle drive-thru. We talked about this eventually infilling with storefronts and vehicles, never penetrating through this building. The previous massing seemed more successful.
 - We're dealing with a challenging triangle, there's a very minimal number of parking in support of that. On this very acute triangle it's limited to get a design for parking that would work with traffic radii, setbacks, etc.
- You really need to have street trees on this street. You're not at all giving space for that to happen. It's too open and too loose. These trees are not just aesthetic and this is way under-planned for what we recommend for City coverage. I don't have a problem with the rest of the design. You need to get that canopy there.
 - The proposal is to bury the power lines so this becomes our fire access. We're not zero lot line, there's grade opportunity to bring in trees.
- We don't have any information on what the 5th floor bonus rooms are about.
 - Five of the units on the fourth floor will have stairs. What we're really looking for is a way to create the Fordem Avenue side for marketing purposes is a challenge. Loft units facing toward Fordem could come up the stairs in their individual units and have a room with access to the patio facing towards the lake. We see a diverse marketing here, we're in a transitional area, not a set neighborhood area, so we're providing a wide range of product, leaving the Sherman Avenue

area, abutting Maple Bluff, some of the retail along Fordem and it's this unique pocket that is a nice opportunity for us to use.

- Given the other comments, I want to address the staff comment about effective proportion placement of brick and the material palette. I almost see three separate buildings, instead of taking the 3 materials, break it up in components versus breaking it up every 10-feet. Really make a statement and express this for what it is. Instead of bringing all the materials all over the place, find a way to express these different elements differently.
- That would break up the length visually. What do you perceive as a likely tenant for the larger retail space?
 - Currently the negotiations are being discussed as a dental user that would relocate their practice here, and in discussions with a very popular coffee place that does not have a drive-thru.
- I'm bothered by the widening of the pass-thru, it grew. And while it gives distinction to the two building masses, maybe one row of the parking under the building could be eliminated.
- The one-story piece clipping into the 2-story open balcony bay isn't necessarily the strongest resolution between those two pieces, when if you had the one-story piece clipping into a solid interior usable space and the roof of the one-story piece extended along Sherman, it could become outdoor living space that then served on that side as opposed to on this flat iron kind of commercial face. As opposed to having balconies in the brick mass, leave that mass as an occupied residential unit, and then create their outdoor living space facing Sherman. It's just an odd configuration, the L-shaped masonry corner face, first it being L-shaped in addition to having balconies on it, it isn't a very strong anchor to the composition, when in reality it's that masonry detailing of that 3-story mass that anchors the composition and it has a lightweight one-story piece clipped onto it.
- That whole point being an integrated design, versus something clipped on to a masonry piece with some cement board paneling behind it.

The Secretary noted that in making the advisory recommendation, the Plan Commission would like the motion to structure what that recommendation is.

ACTION:

On a-motion by O'Kroley, seconded by Harrington, the Urban Design Commission **REFERRED** giving an advisory recommendation. The motion was passed on a vote of (5-1) with Carter voting no. The motion to refer noted reservations about the 4-story mass on Sherman, the lack of setbacks from the previous iteration of designs, and the large vehicle space.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 2107-2249 Sherman Avenue

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	5	7	-	-	-	7	8	-

General Comments:

- The plans are good and improved from last time. The 4-5 floors are fine, but would consider 3-4 floors. Nevertheless, the plans are improved. Mixed-use parking needs improvement, unify the color palette for each section. Parking entrance caused concern, they could reduce the opening.

Stouder, Heather

From: [REDACTED]
Sent: Wednesday, September 16, 2015 3:24 PM
To: cliffg@eua.com; dokroley@dorschnerassociates.com; jaharrin@wisc.edu; lois.braudoddo@dot.wi.gov; michaeljrosenblum@yahoo.com; rslayton@erdman.com; Carter, Sheri; tdmadtown@charter.net
Cc: Stouder, Heather; Palm, Lawrence
Subject: Urban Design Commission Agenda item #10 meeting 9-16-15: new mixed use development 2107-2249 Sherman Avenue

Follow Up Flag: Follow up
Flag Status: Flagged

Dear UDC members and City Staff:

I have recently had an opportunity to review the documentation for the proposed multi-use construction at the triangular-shaped land parcel located at the convergence of N Sherman Avenue/Fordem/Sherman Avenues in Madison. I have a few comments.

Neighborhood interests

This proposal was discussed at some length earlier this week at the meeting of the Sherman Neighborhood Association (SNA), which I serve as co-chair. Although SNA did not take a formal position on this proposal, it was clear from the discussion that generally speaking, the community is responding positively to this proposal. However, a number of technical elements in the design proposal now under review leave many neighbors with serious concerns which hopefully can be addressed before construction moves forward. Some of these serious concerns are listed below.

The Design Aesthetic

It appears incontrovertible that the design for this project would in theory provide a beautiful building, and there would be little or no controversy if only it were to be built in Milwaukee or in areas of Madison having much greater density than the primarily residential area surrounding this particular triangular-shaped parcel. Burrows Park is not Warner Park nor is it Lakefront Park in Milwaukee. It is not a "dense" neighborhood at this location although surrounding condos and rentals farther toward Johnson Street do include more density.

A number of design elements within this proposal are of particular concern to all of its neighbors on the Northside and particularly to those residing in the immediate area such as the southern "Great Lakes" area of the Sherman Neighborhood. Problematic design elements include but are not limited to the following:

- The color and materials used on the building's façade are far from inconspicuous. If they remain unchanged, they would make this building "stand out" visually to neighbors and passersby—isn't it possible to look at façade alternatives to minimize this building's presence and make it blend in better with its neighbors?
- The absence of any setback from the sidewalk along the N Sherman Avenue side of the proposed building is uncharacteristic of other building placements in this

locale and will block the view for individuals walking or riding past this building—isn't it possible to tweak the dimensions of this project to permit adequate setbacks consistent with prevailing designs in the neighborhood, in order to facilitate safety for pedestrians, bicycles, and auto traffic (among other benefits)?

- The proposed height of this project as envisioned with lofts reaching to five stories will block views and sunlight for a number of neighbors—isn't it possible to rethink the placement of such "lofts" (assuming they are permissible at all given applicable zoning), to minimize intrusion on the neighbors' enjoyment of their properties in terms of sun access and views?
- The access and egress for the underground parking for this building are likely to complicate vehicle access to all traffic along N Sherman Avenue and this is particularly true for access to N Sherman from Northfield Place and other streets emerging from the Great Lakes neighborhood.
- Where is the parking? 60 apartments alone will need in the neighborhood of 100 parking spaces? Metro service at this location is not ideal. In addition, what will happen in the absence of adequate parking with residents or their guests attempting to use city streets for parking in surrounding neighborhoods? Maple Bluff severely limits street parking, and so does Madison along N Sherman Avenue.
- What consideration if any has been given to placement of snow in winter or accretion of ice on sidewalks next to a taller building such as this one?—more attention needs to be directed toward anticipating and solving practical problems of this nature?

Planning this proposed building to be a "good neighbor"

The public meeting held about this in June did not include details about this proposal which were created later. I submit to you that it would be very useful for the proposed developer and interested neighbors to hold another meeting for the purpose of trying to find compromises for the issues noted above and related issues. I would ask this Urban Design Commission to encourage this kind of communication with the community by the developer at this time, in the hope and expectation that this may permit more harmonious neighbor relationships in weeks, months, and years to come.

Thank you for the careful and thorough review that has been done so far for this proposal. I will be happy to assist in any way I can to help facilitate better dialogue with the community who will be living with whatever finally becomes of this project.

Sincerely,

Dolores A. Kester
[signed electronically]
Emeritus Member, State Bar of Wisconsin
[REDACTED]
Aldermanic District 12
Kester Law Offices
[REDACTED]

September 2, 2015

City of Madison Planning Div.
215 MLK Blvd., LL100
Madison, WI 53703

Planning and Development Staff:

I have prepared comments to express the Burrows Park Neighborhood frustrations and to request to slow this process down for the Fish Development on Fordem/Sherman Avenue.

Fordem/Sherman/North Sherman Development Background.

1. Neighborhood Plan Development. We in the Burrows Park neighborhood were not included in preparing the EEPY Plan. Our Alder does not take responsibility for not getting us at the table. The announcement sent out as a postcard was about Emerson/East Washington/Eken Park neighborhoods and never referred to our neighborhood. We are part of Sherman Avenue. The only way we learned about this plan was by walking our dogs and conversation starting up. Once we did learn of this plan, it was the last meeting. The Committee was upset we showed up in force. They just threw the Burrows Park neighborhood area into their plan because no one knew what to do with it. No one on the committee live in the area. They suggested a 93-unit, 4 or 5 stories with all sorts of stuff. They also invited Fish to talk to the committee which we missed. Many of us have good ideas on how to develop this area of Madison including Webcrafters, etc. We are concerned about maintaining good small retail. Not sure how to get this section carved out of the plan and give us time to be at the table. We asked but were told it was too late to consider our ideas.
2. Fish development. We had a meeting in which our neighborhood showed up (about 50+ in a small room); this included Maple Bluff side and the city side. He showed a drawing that was 4 stories at the most for a just a bit and that there would be 60 apartments (from efficiencies to 2-bdrm apartments) and a couple of smaller retail spaces. This development is to be a legacy for his daughter (made a big point of that). He said he was leaving a green space that could in the future include a 2-story building. When I asked if he could level it out to 3 stories using that additional area and still have his 60 apartments, he replied "No. That was not going to happen." And he added that if we didn't like the 4 stories he would let someone buy up the stuff and then we would be sorry. I personally don't like to be threatened.

Fish stated in his presentation at the neighborhood meeting that he had spoken with the public and had their support. I mentioned, who did he talk to? since the neighborhood was just getting informed at that time and no one was in favor the massiveness and height of this proposed development. He said that he had talked to a couple of business owners.

After the meeting, as we stood around and looked at the drawings, one of the women asked the architect about why it had to be more than the zoning for mixed-use of 2 to 3

stories and not to exceed 40 ft. He said that the City told them to build it 4 or 5 feet. If that is true, then that does not seem appropriate without having done an analysis of what is needed in the community and what the neighbors want in the area.

When we saw his submitted plans to the Planning Commission, he had changed his design which now was 5 stories and over 57 ft. All along we have been vocal about the height. Then we read Heather's analysis that the height is fine but that the Planning Commission should wait until the UDC is done. However, the UDC has not been informed about the height concern so they are just looking at the design. By the way, we still have not been able to see what it looks like now. And we have tried to find the new version. Who is responsible for making sure a neighborhood is kept in the loop? Our Alder?

Conditional use requests should only be approved in an area of density and definitely NOT in front of a small community park which is used by all of us. Fish has never given a reason for the NEED (rather than "want") for additional height except he wants more profit.

Should not the City be concerned with saving single family homes that are within the center of Madison, instead of forcing these people to contribute to urban sprawl and move to McFarland, Sun Prairie, Stoughton? This whole area is not student housing or rundown rental buildings. Our neighborhood of long-time residents is kept nice, neighbors know each other, very little crime, and we take pride in our neighborhood. We are close to downtown but not downtown. There are some businesses but they blend into the neighborhood or trees. For example, DAIS, a beautiful new building, and the Family Center. Banzo Restaurant is a single family home with renters on the second floor. There is a one-story very successful dance studio is just across the street from Banzo's; another single story retail building will be right next to the proposed huge development and right behind Banzo's. The proposed development would be sticking up over those small retail businesses and looking out of place. In addition, Fish purposely let his nice building deteriorate when he could have sold it or even fixed it up and added another story. Tony's Litho went out of business (as have many little retail businesses recently). There is Clock Shop across the street at the entrance of the park which is a nice building. A new structure should match that height.

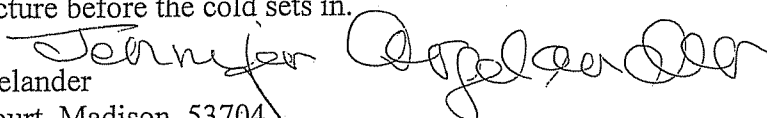
Heather's reasoning for allowing the higher height (as stated in an email) is because there is a street on either side. Obviously she has not even looked at the weird triangle and how single family homes and a small community park surround this little triangle which is only a 2-lane street on either side and already full of traffic.

I find it inappropriate that the City would promise a developer something beyond the defined zoning and to use such a silly defense as it having a street on either side. This building will be an eye-sore on the landscape that currently exists. Everything is 2 or 3 stories and blends in with the houses or are set back from the road. This building cannot be set back because it sits right in the middle on a narrow strip of land.

We are frustrated that our voices were left out of the Neighborhood Planning process and now despite all the documents and photos we have submitted to the Planning Commission that it has been futile effort. I feel the Planning Commission has not had time to really review the paper work since Heather was on vacation and they only had a few days to review. I even had to contact Linda Horvath to get the Fish plan posted and by then it was almost a week late in its posting when many of us had been checking the website. We don't know how to get our voices heard. The City plan had over 75 signatures from the neighbors vehemently disagreeing with the height and structure and traffic issues. The neighbors don't understand why they have to start all over again for the Fish development when it is the same issue. It is too tall and too massive for the part of land. And we were made to be the last on the agenda when everyone, especially the Planning Commission members, were exhausted. No decision of this kind should be made by exhausted members.

3. What is the role of the City planning department? Why are guidelines not being promoted? Why the need for always supporting any conditional use request? We in the neighborhood need to have our voices heard. We are home owners, with good jobs, and pay our taxes. You should be trying to save those who are willing to live in the center of Madison and maintain our property. This kind of neighborhood is what makes Madison a desirable place to live. The development on East Washington makes sense but not in front of a small park and single family homes. Madison needs to decide if it wants to retain the beauty of Madison's older homes and green grass and yards and community or become a Milwaukee full of concrete and crime and high rises. If that is what you want, I know many of us will start to contribute to urban sprawl and take our tax dollars to smaller communities.
4. What about setting precedence for this neighborhood? What is the City's vision? Once this height of a building for apartments goes in, then it becomes the topple effect. I have heard there are landlords on Sherman who own a couple of the older big homes with nice front porches are letting these structures deteriorate. They are waiting to see if Fish's building succeeds and then they can claim their properties are run down and need to be demolished. Then they can build high apartment buildings. Is profit the only thing that matters in Madison? This is the area of older more stately homes. I think these neighborhoods deserves to be preserved and landlords should be held responsible to keep any rental homes in good shape or sell to someone who will love those older homes.
5. Request. Slow this process down a month. This will provide a chance for the neighborhood to fully see what is proposed, allowed time to provide constructive feedback, for information to be shared in the local newspaper or other local notifications. Three-minute comments at the Planning Commission hearings is not sufficient to educate those affected and those whose responsibility is to make decisions for the City. They deserve to review things also. And waiting a month still allows Fish time to demolish the existing structure before the cold sets in.

Jennifer Argelander
1715 Erie Court, Madison, 53704



August 30, 2015

City of Madison Planning Div.
PO Box 2985
Madison, WI 53701-2985

Planning & Development Staff:

I oppose the Planning Division Report (August 24, 2015) and recommendation of approval of the 2107-2249 Sherman Avenue building project, Legistar File ID #: 39483, a/k/a McKenzie Place LLC.

The present zoning for our neighborhood states 3 stories/40 feet, and should remain 3 stories/40 feet. Your planning division report clearly states that the proposed plan does not meet present code nor does it meet the recommended neighborhood mixed use (NMU) Comprehensive Plan, adopted 2006. An exemption to the zoning code should be made only for exceptional circumstances, and no exceptional circumstances were identified by this staff report.

This staff report does not cite statutes that allow greater height just because a developer wants to build a taller building. Nor was there any justification made at the commission meeting to warrant a greater height. Possibly legal advice should be obtained by the planning commission before approval is given to exceed the zoning requirements.

Our Burrows Park neighborhood is a small stable neighborhood of small, single family homes oriented around Burrows Park. Burrows Park is a small neighborhood park, with a few swings, soccer games, some non-motorized watercraft, and an effigy mound. It's quiet, off the beaten path, and frequented by the immediate community, children's groups, and the Madison Marathon passes. It is not a large destination park.

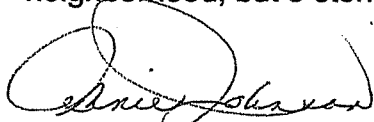
There has been recent growth in our neighborhood, with no complaints. The Center for Families was built to the south of Mr. Fish's property, complete with outside fenced yard for children. The domestic abuse shelter, DAIS, was built to the south of the Center for Families. Both entities are within the current zoning guidelines, and blend into the neighborhood. Maple Bluff plans construction to the North of this site and with no more than 3 stories.

John Fish, with the aid of Alderperson Larry Palm, is foisting this plan through the system under the name Emerson East-Eken Park Yahara Neighborhood Development Plan. What a surprise to find out EEPY pertained to our Burrows Park neighborhood. Transparency of government in action?

Mr. Fish (who does not live in the Burrows Park neighborhood) and his "deferred maintenance" has allowed his property to "decay, deteriorate, become structurally defective or otherwise fall into disrepair" which the Landmarks Commission would act upon if this was in a historical district. (This law change took place prior to any approval

of demolition of these buildings.) It appears the City of Madison Planning Department plans to reward Mr. Fish for his lack of building maintenance by giving him a variance to build a 5 story apartment building that does not fit in our neighborhood or neighborhood guidelines. Why?

Our small neighborhood is not a 5-story apartment building neighborhood. There is nothing of that size all the way to Warner Park. We are a small, stable neighborhood and do not want it turned into a tacky and tasteless transient hub because of politics. We are NOT downtown, with theaters, clubs, and other destinations. This is a small, family oriented neighborhood where 5 stories are not conducive to the continuity of our neighborhood, but 3 stories/40 feet per code fits.



Annie Johnson
1714 Northfield Place
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Don Lindsay
1716 Northfield Pl.
Madison, WI 53704
Aug. 28, 2015

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Madison, Wisconsin 53701 - 2985

Heather Stouder,

The Planning Division Staff Report (Legistar File ID 39483) for McKenzie Place recommends approval of a project that is far too big for the neighborhood where it is located. The height of the project violates both the zoning law and the recommendation of the Comprehensive Plan of 2006.

Page two of the Staff Report says that the area is zoned for 3 stories / 40'. The same table states that the currently proposed building is five stories tall. At 56 feet tall, the building also violates the zoning law's height restriction by 40%.

According to page 3 of the Staff Report, "A majority of the building is four stories and 45 feet tall." The majority of the building therefore greatly exceeds the 40 foot maximum even before adding the height of the roof itself.

In short, the Staff Report recommends approval of a building that exceeds the zoning code height by 40% and exceeds the maximum number of stories allowed in the zoning code by 67% and exceeds the maximum number of stories recommended in the Comprehensive Plan by 25%. The Staff Report's approval of these height violations is both inexplicable and indefensible.

According to page 4 of the Staff Report, the 55 units per acre proposed for McKenzie Place exceed the 40 units per acre recommended for Neighborhood Mixed Use areas by 38%. Scaling down the project to a three story building could reduce density to what is recommended in the Comprehensive Plan. Three floor buildings fall in the middle of the 2-4 story range recommended in the Comprehensive Plan. Thus, three story buildings meet both the Comprehensive Plan's recommendations and the zoning code's requirements.

On pages four and six, the Staff Report attempts to minimize the project's impact by saying that there are no residences "adjacent" to the project site. The Plan Commission's Staff errs in considering the project's impacts on only "adjacent" residences. A project five stories tall with 60 apartments and over 13,000 square feet of commercial and retail space is certain to impact its neighbors throughout the area in which it is located. Many adverse impacts have been discussed in the comments submitted to the Plan Commission. The Staff Report's myopic

(over)

evaluation is grossly inadequate and fails to address issues raised in conditional use standard 3.

The Staff Report does not cite any statutes that allow greater height if a project occupies an entire city block. The Plan Commission would be wise to get expert legal advice.

Allowing a high rise building on the site will permanently alter the character of the Burrows Park neighborhood where almost all structures are one or two stories tall; none exceed three stories in height. Approval of the proposed high rise building could have a ripple effect along the entire length of North Sherman Avenue. Once a five story building is built on the site, it becomes much harder to argue that the next high rise project will not fit the character of the neighborhood. The Plan Commission's decision on this project could open the door to high rise buildings throughout the area.

On page 6, the Staff Report addresses the height of the proposed building. What is missing is any argument or evidence that fourth and fifth floors are required for the proposed project. There are dozens of apartment buildings between Burrows Park and Warner Park. Most are two stories tall. None are more than three stories tall. Some of them have underground parking. These facts strongly suggest that a three story apartment building would be perfectly viable on the project site.

Every exemption to height restrictions found in the zoning code weakens Madison's zoning laws. Citizens of Madison should be able to rely on their local government to make decisions consistent with the zoning code and the policies in the Comprehensive Plan. The McKenzie Place project, as currently designed, is too tall by either standard. No one should need to seek remedies beyond the Plan Commission process to see that the zoning law and Comprehensive Plan are followed.

Three floor buildings are the maximum allowed by the zoning code. An exemption to the zoning code should be made only for exceptional circumstances. The Staff Report identifies no exceptional circumstances requiring a building higher than three stories.

The main reason why the Plan Commission was asked for a conditional use permit is that the proposed building exceeds the height limit in the zoning code. At a meeting of the Plan Commission held on Monday, August 24, 2015, the architect and developer of the McKenzie Place project spoke in favor of their project. Neither one offered a substantive argument saying why the buildings must exceed the three story zoning limit. Even worse, no one on the Plan Commission asked them what exceptional circumstances required an exemption from the height restriction in the zoning code. This failure to address the central issue that brought the project to the Plan Commission suggests a bias in favor of the developer.

Don Lindsay

Stouder, Heather

From: [REDACTED]
Sent: Monday, August 24, 2015 11:28 AM
To: Stouder, Heather
Subject: comment re: Plan Commission today proposed project N. Sherman/Fordem/Sherman triangle

Hello Ms. Stouder:

Could you please make sure my comments are transmitted to all members of the Plan Commission prior to its meeting this afternoon? Please let me know if you have questions or concerns.

Thank you,
Dolores Kester

To Planning and all members of the Plan Commission:

My primary concern is this project's request for a conditional use variance from zoning. Zoning code standard: height. The current zoning for this area is 3 floors plus 40 feet; this proposal at 56 feet (per A401 of the Plan pdf) is approximately 16-17 feet taller than the current zoning limit (depending on roof thickness). The City of Madison's zoning code contains the following standard for Conditional Use approval to exceed the base height limit:

Sec. 28.183(6)(a)12. When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.

The current proposal does not serve the public interest.

I have resided on the Northside of Madison for over 30 years and do not believe there is any building in the immediate vicinity of Fordem/N. Sherman Avenue that exceeds three stories in height.

As for length, the proposed length of this building is 258 feet, or 86 yards.

The footprint and height of this proposed building are too large in scale for the surrounding neighborhoods and for congruity with other buildings along the N. Sherman Avenue corridor. It will be as conspicuous in this location as a hippopotamus in a pink tutu.

With all due respect to Mr. Fish' intentions to improve a location where he has previously demolished a building owned by him and occupied by a going business, this proposed project as presently configured is wrong for this location primarily because its magnitude exceeds the capacity of the proposed location based on existing zoning standards.

It is not appropriate to override residents' reasonable expectations that new construction will comply with existing zoning, simply because of unproven claims that construction complying with zoning would not be commercially advantageous.

I urge the Plan Commission to reject this proposal unless and until it is reconfigured to comply with existing zoning. As such, a zoning-complying new building at this location would be a welcome addition to the surrounding thriving neighborhoods and the Burroughs Park area, rather than the proposed outsized eyesore which, in addition, would require inconvenient re-routing of traffic at that location and have insufficient parking for the stated purposes.

Madison residents like myself who reside in the Sherman Neighborhood a bit farther north along the N. Sherman corridor must travel through this part of the city in order to reach destinations downtown and west. Please consider our interest in having a smooth passage along city streets which have not been diverted to accommodate some outsized building project that is not appropriate for the "triangle" location. Thank you for your time and attention.

Dolores Kester

████████████████████ Winchester Street, Madison
Aldermanic District #12

Stouder, Heather

From: Chris Briesemeister [REDACTED]
Sent: Tuesday, September 15, 2015 3:09 PM
To: [REDACTED]
Cc: [REDACTED] district_2@cityofmadison.com
Subject: Urban infill at the triangle near Burrows Park

Hello,

I am a resident of Maple Bluff who lives very near to the location in question.
I have a few thoughts on the matter.

I wanted to be sure my definition of "urban infill" was correct before jumping to conclusions so I searched the phrase on the internet.
Generally speaking, urban infill is described as a positive movement. However, the flyer I received at my door clearly states that it will have a negative impact.

My main thought is, why is it better for the neighborhood to include abandoned businesses contained within derelict buildings rather than revive the location with an increase population which in turn will generate more private and government revenue for Maple Bluff and its businesses?

Furthermore, there is not much variety in the commercial space offered in Maple Bluff. The new businesses will offer both more options for all the residents as consumers as well as provide more easily accessible options. Walking scores continue to become a characteristic that is considered by potential residents.

Maple Bluff is beautiful and many of its residents are elderly. Wouldn't it be wonderful if they could take a short walk through our wonderful neighborhood for some entertainment rather than risk taking a drive?
Would it not also be wonderful to have more active members of the community as opposed to the abandoned businesses that give a negative first impression of our village?

Thank you for your attention.
Chris Briesemeister

Stouder, Heather

From: Jeff Lee [REDACTED]
Sent: Thursday, September 17, 2015 10:54 AM
To: Stouder, Heather
Subject: Sherman ave

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Begin forwarded message:

On Sep 13, 2015, at 7:03 PM, Ellen Reyerson <[REDACTED]> wrote:

Hi John--We haven't met, but my husband and I (and our daughter, Macy) live in Maple Bluff on Burrows Road. I think I may have met your wife and daughter last winter too! We have been peripherally following the discussions about your new building overlooking Burrows Park. Jason attended a few of the neighborhood meetings and while initially we had some concerns, the last meeting answered many questions and now we fully support your efforts to revitalize that area of the neighborhood. My impression is that there is a very small group of neighbors who are extremely, extremely vocal but that generally the Maple Bluff neighbors are receptive to new development. We received a flyer on our door today that was trying to drum up continued opposition to the project and while I am sure you have received a good portion of criticism, I wanted you to know that there are absolutely neighbors who do support and appreciate your efforts. While many neighbors want the size of the building scaled down, I certainly understand that building a 2-3 story apartment building would not be a good investment on your part. Additionally, I appreciate that as a Maple Bluff resident you will take care to create something that adds to our neighborhood. I can think of many more less desirable ventures that could pop on that property if an outside developer had the chance. Best of luck to you as you go through the last of your planning phase, and we look forward to seeing your new building go up. Hope to see you around the neighborhood sometime!

Ellen Reyerson & Jason Smith (and Macy, 5) :)