

Summary Report Revision: 3 Feb. 2017
**TLNA Steering Committee Meeting for Renaissance Property Group Proposal for the
700 Block South of E. Johnson and 200 Block East of N. Blount St.**

This document presents new findings of the Tenney-Lapham Neighborhood Association's (TLNA) Steering Committee on the proposal by Renaissance Property Group (RPG) for 707-713 E. Johnson Street and the 200 East block of N. Blount Street. Revised findings were necessitated by RPG's submittal of several revised proposals, including the most recent revision that was presented and evaluated on Dec. 13, 2016, and Jan. 17, 2017.

This report addresses the current proposal version and should **replace** the earlier Steering Committee report dated June 5, 2016.

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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.tenneylapham.org/development.html>

2. Committee Membership:

The Committee has considered its members to be any neighbor who has come to 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 attended at least one of the Committee meetings:

Patrick Heck (TLNA Development Committee Chair), Patty Prime (TLNA President), Richard Linster, Mark Bennett, Bob Klebba, Karla Handel, (all four TLNA Council members), Josh Day, David Waugh, Don Jones, Matt Coogan, Beth Kubly, and Joe Lusson. Given that the proposal evolved substantially through a more than 2-year period, some committee members were unable to consistently attend meetings, hence this report is drawn primarily from the input of longstanding attendees Patty Prime, Richard Linster, Bob Klebba, Karla Handel, David Waugh and Patrick Heck. Other committee members contributed earlier in the process, particularly with respect to the E. Johnson St. component.

Additionally, District 2 Alder Ledell Zellers attended most meetings. Heather Stouder initially represented the Planning Division of the Department of Planning and Community and Economic Development and acted as a Department contact for the proposal with Jay Wendt taking over further

into the process. For the last committee meetings, Jessica Vaughn represented the Department with City Zoning Administrator Matt Tucker also providing input.

RPG Development team members who attended at least one meeting were Michael Matty (RPG), Chris Oddo, Ian Nielsen-Fox and Mila Yasko (Insite Consulting Architects), and Jeff Vercauteran (Husch Blackwell).

Note that other neighbors have provided valuable input via email and other channels; their opinions are contained here, in meeting notes and a separate Comments/Emails link on the website.

The Committee formed after a May 20, 2015, neighborhood meeting called by Alder Zellers. At that meeting, RPG presented their preliminary proposal concept and accepted neighborhood input. As is typical, attendees were given the opportunity to join the soon-to-form TLNA Steering Committee and other neighbors were invited via the TLNA listserv in all meeting announcements. Alder Zellers sent postcard invitations for the neighborhood meeting to Tenney-Lapham (T-L) residences and businesses nearest to the proposal site.

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. In recent years TLNA Development Steering Committees have not always voted on a committee position, but have instead issued summary findings such as these to the full TLNA Council.

The Committee met on March 31, May 5, May 25, July 18 and Dec. 13, 2016, as well as on Jan. 17, 2017. Email communication supplemented the distribution of information. Note that more than 10 months passed after the May 20, 2015, neighborhood meeting and when the TLNA Steering Committee meeting convened for its first meeting. Additional large gaps between meetings also occurred. These delays are discussed in “Summary Findings”.

Depending on the desires and actions of the TLNA Council, as well as the input of the City and RPG, the Committee is prepared to hold additional meetings and provide additional feedback to the developer, although the Committee does not anticipate meeting again unless a substantial revision were to come forth.

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, website materials, 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 any email dialogues with Committee Members.

5. Summary Findings:

The Steering Committee appreciates the developer’s willingness to meet with the neighborhood and the Steering Committee to listen to our concerns. RPG provided information, building renderings, shadowing studies and perspectives when the Committee made a request. They presented multiple versions of their proposal as it evolved and were generally willing to alter its composition when responding to neighborhood and City Planning staff feedback.

Initial Proposal

RPG’s initial proposal, variations of which were presented at the May 2015 neighborhood meeting and the March 2016 Steering Committee meeting, was generally not supported by neighbors and

committee members. There were exceptions, but most felt that the initial proposal's inclusion of a new 3- or 4-story apartment building atop a partially underground parking level on N. Blount St. was out of scale for the block and did not respect the Tenney-Lapham Neighborhood Plan for this area. The proposed demolition and/or moving of a total of 6 multi-unit rental homes were particularly problematic. The micro-unit apartment building proposed for E. Johnson Street received less negative feedback, particularly after RPG agreed to include commercial space on its first floor.

City Planning sent two letters to RPG (28 May 2015 and 5 May 2016) indicating that their support for the proposal was contingent on Alder Zellers and TLNA Council endorsing both a required zoning change necessary to construct the proposed buildings (one on E. Johnson St. and one on N. Blount St.), and variances from the Neighborhood Plan. On 14 April 2016, TLNA Council unanimously passed a statement indicating ongoing support for the goals of the Neighborhood Plan as they relate to this and similar blocks. Those letters and related communications are available on the TLNA Development webpages.

Revised Proposals

In several subsequent Committee meetings, RPG presented significantly revised proposal versions that found more support among Steering Committee members, although some committee members continue to have reservations about some aspects.

On 9 June 2016, the full TLNA Council voted to support the then current version that included the mixed-use micro-unit apartment building on E. Johnson, eliminated the proposed N. Blount apartment building, retained the existing houses on the 200 block N. Blount, and moved one of E. Johnson homes to a gap between 201 and 207 N. Blount while demolishing the other. At the time of the Council vote, it was not clear that a valid zoning category would allow a move of the Johnson St. home to Blount, but RPG and the City were then exploring zoning options and possibilities that might allow this. Shortly after the June 9 Council meeting, RPG indicated that they no longer planned to move and save the one Johnson Street home as part of the project due to the complications and expense of implementing a City-suggested zoning solution - creating a Residential Building Complex from all the N. Blount properties, including the home to be moved. TLNA Council shortly thereafter rescinded their approval of the proposal due to the Council's desire to save at least one E. Johnson Street home.

Below are the Committee's findings with respect to the current proposal version, presented last on 17 Jan. 2017. This section separately addresses the two proposal components for these parcels: (1) 707/709 and 711/713 E. Johnson, and (2) 201, 207, 209/211 and 213/215 N. Blount. Note that RPG has indicated that the two components will be filed as two separate development proposals with the City.

Component #1 (707/709 and 711/713 E. Johnson)

The mid-2016 proposal version fleshed out the proposed mixed-use micro-unit apartment building considered for E. Johnson Street, which again, was seen favorably by most, and has not substantially changed. The Committee recognized that the Neighborhood Plan does indicate the potential for thoughtful redevelopment along the 700, 800 and 900 blocks of E. Johnson St. Unlike on N. Blount St., the Plan supports evolving usage on these blocks with recommended uses that are residential, commercial and/or mixed-use, while simultaneously retaining the current overall character. Wholesale teardown of multi-unit or single unit homes is not called for, but the Plan does suggest that these unique blocks in the E. Johnson business district can see infill and some redevelopment that can include ground-floor commercial spaces. For this reason the Committee was

supportive of the proposed first floor commercial space. RPG has indicated that they have a prospective local restaurant tenant, but that is not finalized.

Land Use and Density Concerns - In the Neighborhood Plan the suggested housing density for the entire block bound by E. Johnson, E. Dayton, N. Blount and N. Livingston Streets is 16-25 dwelling units per acre (Medium Density Residential) with the exception of the Caribou/Laundromat parcel which is in the 16-40 du/acre Neighborhood Mixed Use land use category. The City's Comprehensive Plan also calls for Medium Density Residential for the non-commercial portions of this block, but with a suggested density of 16-40 du/acre. The Committee generally supports allowing an exception to the Plan's land use and density recommendations for the two parcels along E. Johnson in order to accommodate the proposed mixed-use building. The proposed building would have 21 apartments on 0.229 acres, resulting in 92 units per acre. This is significantly above the Plans' maximum density recommendation, but the Committee accepts that the density standards were devised with traditional apartments, condos and homes in mind rather than the micro-units of the proposed building. The existing two E. Johnson rental homes contain a total of 4 apartments with approximately 13 beds, whereas the micro-unit building would have 21 apartments with a total of 21 beds, so the increase in the number of beds is less than double the current situation, minimizing some of the impact of a nearly 3.7-times increase above the Neighborhood Plan's maximum recommended density.

For several years City Planning has recommended that the density for development proposals should be a consideration, but not the determining factor when assessing compliance with plans and zoning ordinances. In fact, the aforementioned density recommendations do not appear in City zoning ordinances at all; they are only in the Neighborhood and Comprehensive Plans. Density is not seen as a particularly objective predictor of a project's appropriateness, whereas building mass and form are, hence the willingness of most Committee members not to focus solely on the Neighborhood Plan's density recommendations.

That said, all committee members are concerned about the potential impact of endorsing the teardown of even one home and the approval of this large density variance in an area where many contiguous multi-unit rental houses are owned by developers or could soon be purchased by developers. These developers could subsequently propose new buildings that will require teardown of many older multi-flats, particularly given the real estate market on Madison's isthmus. While some of these homes are in need of repair due to improper and/or deferred maintenance, the Committee agrees with the Neighborhood Plan's goals of retaining these homes whenever possible due to their contribution to T-L's character and their affordability. Should RPG's proposal move forward, it is crucial that TLNA Council include language in any communication to the City stating that a zoning change and any Neighborhood Plan exceptions are not precedent setting and are not meant as a signal that larger or even similar developments are desirable. TLNA Council and the City should recognize that the Neighborhood Plan's recommendations continue to apply to the remainder of this and surrounding blocks.

Zoning Change - The Committee generally supports that the two E. Johnson St. parcels will require a zoning category change from Traditional Residential-Variied 2 (TR-V2) to Neighborhood Mixed Use (NMX) that is not explicitly prescribed in the Neighborhood Plan. The NMX zoning category matches the zoning of the contiguous Caribou/Laundromat parcel and would allow the proposed mixed-use building, hence the change is judged to be reasonable rather than contributing to an erratic zoning pattern. In addition, there is mention in the Neighborhood Plan of a later expansion of the E. Johnson business district to include the 700 block. Given that this proposed commercial space

would be an extension of an existing commercial node at E. Johnson and N. Blount, the Committee agrees that these parcels are well placed for a first floor commercial entity with residential above.

To the best of the Committee's knowledge, the proposed building will meet all requirements and standards for NMX zoning; however, the Committee does support and recommend one exception. RPG should be allowed to place the proposed building 6 feet further away from the Caribou/Laundromat, hence 6 feet closer to the parcel's eastern lot line, than zoning allows. This will violate a requirement that the proposed building's third floor be set back sufficiently so as to not exceed a 45° angle drawn from the eastern lot line to top of the building. This requirement applies when a new NMX building is constructed adjacent to residential districts to allow sufficient transition to existing residential structures. The Committee agrees that the presence of a driveway on the adjacent property lessens those concerns and that the extra 6 feet between the Caribou and the proposed building will allow for commercial employees and perhaps garbage service and deliveries to access the commercial space, thereby minimizing any disturbing of residents in the adjacent existing residence. If instead access to the commercial space side entrance were on the eastern side, residents of the adjacent homes would likely be subject to more noise. This exception to the 45°-angle requirement is allowed as a Condition Use by the Plan Commission.

The proposed building would have a total height of about 35 ft and 8 inches, comprised of a partially underground basement with bike storage and mechanicals, one 14' commercial floor and two 10' floors of micro-units. This is not appreciably taller than the existing 30' and 32' heights of the 707/709/ and 711/713 E. Johnson houses, respectively, although the mass of the building will make it seem much larger, particularly when viewed from across Johnson or from points west on Johnson. Most of the Committee and neighbors feel that it is not an inappropriate structure for the location.

Parking Concerns - Some committee members and neighbors are concerned about there being no dedicated off-street parking for the proposed micro-unit building and the increased pressure this could put on street parking for current homeowners, renters, and nearby businesses. RPG currently has 14 parking stalls behind the N. Blount properties, as well as 12 other parking stalls at other properties within 2 blocks. If the proposal's Component #2 should move forward, the parking area will be brought into conformity, but reduced to 10 stalls, hence 22 stalls will be available for lease to tenants in the 21 micro-units, all apartments behind the N. Blount apartments in Component #2, and nearby RPG rental properties. The 10 stalls behind the Blount St. houses will be first offered to the micro-unit and N. Blount St. tenants and similarly, the additional 12 parking stalls will first be offered to tenants at other nearby RPG properties, so it is expected that many car owners in the micro-unit building will need to use street parking or park elsewhere. As with other new developments with more than 4 units, tenants of the micro-unit building will not be allowed to purchase City of Madison stickers that allow more than 2-hour daytime street parking for residents in the RP3 parking districts with 2-hour signage.

In order to encourage micro-unit tenants to not choose car ownership, the Committee recommends that there be at least 2 bike stalls and/or bike hanging facilities for each micro-unit to make the development as bike friendly as possible. Given the location's proximity to the E. Mifflin bike boulevard and the bus lines on Johnson/Gorham and E. Washington, it is anticipated that most residents will not own cars. The Committee recognizes that the lack of car parking might be a test case that could help the neighborhood and the City refine their parking requirements for new developments, depending on how the parking situation evolves after tenants are established in the neighborhood. Given that a T-L ad hoc committee has recently explored the possibility of extending restricted street parking areas and hours, it could take several years to fully assess the impact of

having no dedicated off-street parking for residential tenants and perhaps waiving the City’s minimum parking requirements for any accompanying commercial space. Note that should a restaurant and/or bar occupy the proposed first floor commercial space, that business would have a separate permitting process, hence not included in RPG’s Conditional Use and other approval processes. Other possible uses of the commercial space could potentially need their own Conditional Use Permits, depending on allowed usages in zoning code.

RPG has not expressed a willingness to include a bona fide affordable housing component in the micro-unit building, however RPG has stated that rents for the micro-units are expected to be lower than for comparably sized units in other downtown or near-eastside new developments. Some examples are below, but note that parking costs and amenities for each vary.

Development	Square Footage for studio/micro-unit (square feet)	Starting monthly rent
Hub	273	\$1225
Constellation	416	\$1065 (market rate)
Domain	359 to 393	\$1095
Lyric	512	\$1150

Given the proposed units’ size (285 square feet) and assuming that the quality of the units and their fixtures will be comparable to the developments above, the Committee recommends that as many of the micro-units as possible be leased for monthly rents appropriate for a single person making no more than 80% of Dane County Median Income or \$46,100. Using 2015 statistics, rent plus utilities should be no more than 30% of \$46,100 or \$1152 per month and perhaps less given the units’ expected square footage and lack of off-street parking. A suggestion such as this cannot be legally required, but in light of TLNA’s 6 Feb. 2016 endorsement of an overall affordable housing goal of 20% in new developments, it is strongly encouraged.

Neighbors and Committee members expressed a variety of opinions about the architectural renderings proposed by RPG for the Johnson St building. The initial micro-unit renderings were much improved after interactions with the Committee, which is appreciated. The primary remaining concerns are related to the exterior of the building and choices for exterior cladding. All supported the red brick exterior and large hinged windows proposed for the first floor commercial space. Some were supportive of a monochromatic paneling system for portions of the upper floors while others appreciated a more unique multi-colored paneling system. Renderings for both options are on the development website in Developer’s Drawings for the 25 May 2016 meeting and updated with materials from the 17 Jan. 2017 meeting. Additional suggestions included adding art work or some iconic feature to the upper floors on the side facing outbound Johnson St. traffic, thereby adding a landmark to the neighborhood and ameliorating the box-like mass of the building as seen from that angle.

Component #2 (201, 207, 209/211 and 213/215 N. Blount)

The late 2016 and Jan. 2017 proposal version includes saving 207, 209/211 and 213/215 N. Blount (the three larger multi-flat rental homes behind the Caribou/Laundromat building), demolishing the home at 201 N. Blount Street, building a new 8-unit apartment building on the larger lot currently occupied by 201 N. Blount, and moving 711/713 E. Johnson to the rear of 201 N. Blount. The latter moved home would face E. Dayton (see the slides on the TLNA Development webpages for details and renderings).

Zoning Change - The City and RPG have settled on a strategy of creating a Planned Development (PD) for the N. Blount properties rather than pursuing the formation of Residential Building Complex or changing from TR-U2 to another standard Madison zoning category. Generally, the Committee supports this approach because it binds the four Blount St. parcels together, thereby decreasing the likelihood that any of the 4 homes and the 8-unit apartment building will be sold separately to a different developer who could pursue piecemeal teardown/replacement. If a PD is created, RPG would retain its right to sell any or all of the PD's component parcels, but piecemeal sales would be possible only with the approval of the Director of Planning and Community and Economic Development with concurrence by the District 2 Alder. The Director or Alder can classify a potential PD amendment as "major", hence require the amendment to go before Plan Commission. The process for requesting amendments to an existing PD are analogous to a zoning change, so the process is fairly rigorous and can include Plan Commission consideration along with possible Urban Design Commission and Common Council consideration. City staff has also stated that current neighborhood objections to future teardown/replacement of these properties and the justification for creating the PD will be fully documented and included in the PD's approval, thereby making future City staff members and Plan Commission members fully aware of the neighborhood's concerns.

Note that the four parcels on Blount Street would no longer be zoned TR-V2 as is the remaining residential portion of this block. The Committee is generally supportive of this change because a PD is in a sense a tailored and unique zoning solution that can not be extended to adjacent or nearby properties, again decreasing the potential for a domino effect that would endanger more affordable apartments/homes that contribute to the area's character.

The retention of 4 multi-flat, affordable rental houses in this proposal version is seen as a positive not just for the character of this large block, but for the entire neighborhood. The retention of these apartment units should support a diverse population, including those whose income does not allow them to rent in newer market-rate apartment buildings. The moving of 711/713 E. Johnson to E. Dayton on the rear of the current 201 N. Blount St. parcel is seen as a good solution to saving the home. Although RPG would consider any offers to move the other rental house at 707/709 E. Johnson to a different site, it was very likely that it would be demolished, although most materials from that demolition will be reused or recycled.

The Committee strongly recommends that RPG commit to renovating and maintaining the front porches and the exteriors of the three retained Blount St. homes and the home proposed to be moved to E. Dayton. RPG has stated that the homes are meant as long term investments and will eventually be "fixed up", but the Committee believes those commitments should be listed in a Planned Development agreement or in any Conditional Use Permit granted by Plan Commission, whichever is appropriate, and renovations should be completed within one year of the completion of the new building proposed for Blount St. Recognizing that the expense of full-fledged historical renovations are typically quite costly and could impact RPG's ability to keep rents affordable, the Committee recommends that repairs fit the nearby neighborhood's character rather than adhere to strict standards.

Also recommended is a pre-demolition and pre-construction walkthrough of all current rental properties on the site, attended by City staff and representatives from both RPG and the Steering Committee. Any interior repairs or issues that are found to be in violation of city regulations in the four homes to be saved should be addressed before any tenants take residence after the creation date of the PD.

Demolition of 1 N. Blount Home and New 8-Unit Building – The proposed 8-unit apartment building proposed for the corner of N. Blount and E. Dayton is mostly supported by the Committee, although some feel that tearing down the home at 201 N. Blount to accommodate the new building violates the Neighborhood Plan’s land use goals, its vision for parcels that are not on E. Johnson, and will destroy an affordable rental home. The concerns about replacing a home with affordable rent with 8 apartments with higher rents are shared by all Committee members. The proposed building’s architecture is appreciated, particularly its exterior façade, window shapes, peaked roofs, and massing that reflects the three adjacent Blount St. homes. The Committee also appreciates the front façade’s mid-building recession and dual front porches that give the impression that the building is two separate scale-appropriate structures. The Committee encourages RPG to use a darker color on the mid-building recession to increase the perception of there being two buildings, but generally appreciated the overall exterior color of the buildings. Some do not appreciate the look of the small peaked roof over the front entrance to the basement level apartments. One committee member is concerned about the lack of bona fide front entrances for the apartments on the top floor. The inclusion of four 2-bedroom units (two that include a den) is seen as a positive for the PD and the neighborhood, although some feel that replacing some units with 3-bedroom units better serve the Neighborhood Plan’s goal of increasing housing opportunities for families.

Note that the PD area would result in a density of 34 dwelling units per acre, which is between the Neighborhood Plan’s goal of 16-25 du/acre and the Comprehensive Plan’s goal of 16-40 du/acre. Most Committee members were satisfied with the proposed density for the PD being within the Comprehensive Plan’s limits, but all recommend that TLNA and City staff document that this variation from the Neighborhood Plan is an exception and should not be seen as a precedent for future development proposals.

Parking Concerns – As with the 21-unit mixed use building proposed in Component #1, some committee members and neighbors are concerned about there being insufficient dedicated off-street parking for the four rental homes and the new 8-unit building. There was no consensus on whether or not the Committee should endorse a parking reduction for the PD, which by regulation is required to have 14 parking stalls with only 10 planned. Per City regulations, tenants of the 8-unit building will not be allowed to purchase City of Madison stickers that allow more than 2-hour daytime street parking for residents in the RP3 parking districts with 2-hour signage. While residents of the three Blount St. homes are currently allowed RP3 parking permits, the Committee believes that those homes and the home moved to E. Dayton should be denied permits in the future, although current residents who remain could be grandfathered in until they move elsewhere. The committee is supportive of the proposed entrance and exit driveways on Blount St. to the parking area, particularly because they utilize existing curb cuts, aprons and driveway entrances.

The Committee strongly encourages RPG to station a Zipcar in one of the rear parking stalls and also encourages Plan Commission to include this in a Condition Use Permit. The Committee feels that its inclusion is crucial to encouraging tenants in both the micro-units and N. Blount St. multi-unit rentals to forgo car ownership. A Zipcar would also be available to other nearby neighbors, providing an important benefit to the neighborhood.

Further analyses of the proposal with respect to city code, ordinances and planning documents is provided in *Supplementary Materials* below. If the TLNA Council eventually endorses a proposal for this site or if it should otherwise move forward, we have also included a list of additional conditions that the Committee feels should be considered

6. Additional Suggested Conditions:

In addition to the points raised in the Summary Findings above, other suggested conditions to be taken into consideration should the proposals move forward at this site:

- Retain any street trees and as many yard trees as possible.
- The Committee should have input on landscaping plans.
- Street parking by residents should be discouraged. Residents of the proposed new apartment buildings should not have access to City residential parking permits should the program be in existence or established on nearby streets. Current residents of the existing apartments could be grandfathered into the parking permit program, but new residents should not be allowed to acquire parking permits.
- Indoor and outdoor bicycle parking for both proposal components should exceed City requirements.
- Commercial entities that locate in the mixed-use building should appeal to neighbors, be locally owned and enhance the neighborhood.
- HVAC systems for both new apartment buildings should create minimal noise and exterior venting/input for the apartments should be flush mounted. Additionally, any noise from rooftop HVAC systems and exhaust systems should not impact neighboring residential structures, including Das Kronenberg across E. Dayton Street.
- Any shadows cast by the home moved to E. Dayton or by the new 8-unit apartment building on E. Blount should not have a deleterious effect on the function of the solar panels currently on the roof of 714 E. Dayton St.
- The Steering Committee and/or TLNA Council should be made aware of the plan for residential and commercial garbage, as well as commercial deliveries.
- Additional green features should be included whenever possible in the micro-unit building and the 8-unit apartment building if feasible.
- Should dogs be allowed, a station for the collection of dog waste should be included in the project so as to discourage dog waste from collecting on nearby streets.

7. Supplementary Materials:

The most pertinent sections of and excerpts from zoning ordinances and planning documents:

Component #1 (707/709 and 711/713 E. Johnson)

- Current zoning for 707 through 713 E. Johnson (2 multi-unit rental buildings) is Traditional Residential-Varied 2, a Residential District zoning category (*MGO TR-V2 Zoning, Sec. 28.048*).
- Requested zoning for 707 through 713 E. Johnson is Neighborhood Mixed Use, a Mixed Use and Commercial District zoning category (*MGO NMX Zoning, Sec. 28.064*).

MGO Table 28D-2 lists all permitted and conditional uses for the proposed first floor commercial space. Restaurants, taverns, restaurant/taverns, and brewpubs are permitted, as are many other uses.

MGO 28.064 Neighborhood Mixed Use District, describes the zoning category and all applicable requirements for NMX districts, including

(1) Statement of Purpose.

The NMX District is established to encourage and sustain the viability of commercial nodes that serve the shopping needs of residents in adjacent neighborhoods. The district is also intended to:

- (a) Encourage pedestrian, bicycle and transit use as a means of accessing these commercial areas.
- (c) Facilitate preservation, development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

(3) Dimensional Requirements.

Maximum height. 3 stories/40'

- (d) Rear or Side Yard Height Transition to Residential Districts. Where the NMX District abuts a residential district at the rear or side lot line, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. Transitions exceeding this height and/or ratio limitation require conditional use approval.

Related to parking requirements for the residential and commercial components of the NMX portion of the proposal:

MGO 28.141 Parking and Loading Standards, Table 28I-2. Districts with No Minimum Automobile Parking Requirements; Exceptions.

District/Area	Parking Requirement	Exceptions
Neighborhood Mixed-Use (NMX)	No minimum	2. Restaurants, restaurant-taverns, taverns, restaurant nightclub, nightclub, and brewpubs if located within three hundred (300) feet of another restaurant, restaurant-tavern, tavern, or brewpub.

MGO 28.151 Subchapter 28J: Supplemental Regulations.

Dwelling Units in Mixed-Use Buildings.

- (b) In the NMX District, more than eight (8) dwelling units requires conditional use approval
- (e) In the LMX, NMX, TSS and CC-T Districts, 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. Less non-residential frontage requires conditional use approval.

Component #2 (201, 207, 209/211 and 213/215 N. Blount)

- Current zoning for 201 through 215 N. Blount (four multi-flat or single family rental homes) is Traditional Residential-Varied 2, a Residential District zoning category (*MGO TR-V2 Zoning, Sec. 28.048*).

- Requested zoning for 201 through 215 N. Johnson is Planned Development District, a Madison Special District (*MGO Planned Development District, Sec. 28.098*).

MGO 28.098 Planned Development District, describes the zoning category and all applicable requirements for PD districts, including these pertinent excerpts:

(1) Statement of Purpose.

Planned Development (PD) District is established to provide a voluntary regulatory framework as a means to facilitate the unique development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural, and economic considerations, and that features high-quality architecture and building materials. In addition, the Planned Development District is intended to achieve one or more of the following objectives:

- (f) Facilitation of high-quality development that is consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.

Because substantial flexibility is permitted in the base zoning districts, the PD option should rarely be used. It is intended that applicants use the PD option only for situations where none of the base zoning districts address the type of development or site planning proposed.

Approval of a Planned Development District requires a zoning map amendment, which shall result in the creation of a new site-specific zoning district, with specific requirements that are unique to that planned development. In the Planned Development District, there shall be no predetermined requirements for lot area, lot width, height, floor area ratio, yards, usable open space, signage, or off-street parking and loading, but such requirements may be made a part of a planned development during its approval and recorded against the PD-zoned property as regulations to be enforced as a part of this ordinance.

(2) Standards for Approval of Zoning Map Amendment.

The standards for approval of a zoning map amendment to the PD District, or any major alteration to an approved General Development Plan, are as follows:

- (d) The PD District plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. A traffic demand management plan may be required as a way to resolve traffic and parking concerns. The Plan shall include measurable goals, strategies, and actions to encourage travelers to use alternatives to driving alone, especially at congested times of day. Strategies and actions may include, but are not limited to, carpools and vanpools; public and private transit; promotion of bicycling, walking and other non-motorized travel; flexible work schedules and parking management programs to substantially reduce automobile trips.

- (e) The PD District plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District.

(6) Alterations to a Planned Development District.

Requests to alter a Planned Development District shall be made to the Director of Planning and Community and Economic Development. Upon receipt of the request, the Director shall determine if the request constitutes a major or minor alteration to the Planned Development District. The Director may refer any request for alteration to the Urban Design Commission for an advisory recommendation. Alterations shall only be approved as specified below.

- (a) Minor alterations may be approved the Director of Planning and Community and Economic Development or designee following consideration by the alderperson of the district if the requested alterations are consistent with the concept approved by the Common Council. If the alderperson of the district and the Director of Planning and Community and Economic Development do not agree that a request for minor alteration should be approved, then the request for minor alteration shall be decided by the Plan Commission after payment of the applicable fee in Section 28.206, MGO.
- (b) Major alterations may be approved by the City Plan Commission if the requested alterations are consistent with the concept approved by the Common Council.
- (c) Major alterations that represent a substantial departure from the concept approved by the Common Council may be approved only after all of the procedures in Sec. 28.098(5) have been satisfied.

Excerpts from the *Tenney-Lapham Neighborhood Plan*

About usage:

- “The neighborhood seeks to increase the business use of these blocks while keeping the residential flavor. Adaptive re-use of residential structures for specialty businesses is encouraged for this district. Replacement of existing structures with structures specifically designed for neighborhood mixed-use is also encouraged.”
- “700 Block of East Johnson Street
The west end of this block has businesses today. While near-term goals for growth of the E. Johnson Business District focus on the 800 and 900 blocks, the long-range vision anticipates expansion of the NMU district to the 700 block as well.”
- “Initial growth of business uses should be focused on the 800 block and the west end of the 900 block. The 700 block should remain more residential in the near term.”

About density:

- TLNP recommends MDR1: 16-25 units/acre
- TLNP also suggests an expansion of NMU: 16 to 40 units/acre, but not seeking to eliminate all ground floor residential

About character:

Land Use Goals, Action Steps/Projects, Design Standards, Implementers

Goal 1: Restore and preserve the residential character of the Tenney-Lapham neighborhood.

Discussion: “... the Johnson, Gorham, Dayton and Mifflin Street blocks are excellent examples of traditional early 20th century urban neighborhoods. The preservation and rehabilitation of these areas can provide high-quality, affordable housing within this desirable and convenient area of Madison...”

Goal 1: Design Standards (for the area mentioned above)

“... Infill sites should be thought of as the ‘missing teeth’ in an otherwise cohesive group of structures that are associated by age, style, and purpose. New structures must be consistent with the established architectural context... Tear down and rebuilding can be acceptable in this context for structures that themselves are ‘toothaches’ with respect to the design standards discussed here...”

Teardown Replacements

- Ratio of footprint-to-lot-size of replacement residential structures should be comparable to the surrounding neighborhood.
- Front porches are encouraged.

- Consistency of scale, spacing, and general architectural vernacular of the surrounding neighborhood is required.