

May 15, 2018

To: City of Madison Plan Commission Members

From: Patty Prime
President, Tenney-Lapham Neighborhood Association

Re: Revision to Houden Proposal for 700 Block of E. Johnson Street

This letter replaces the April 12, 2018, letter from TLNA Council to Plan Commission concerning the Houden proposal for the 11 properties between 717 and 753 E. Johnson Street. This update is necessary due to changes in the proposal, including the removal of the majority of the 4th floor and the connecting of the two new buildings. TLNA believes these changes impact some of the proposal's lack of adherence to the Plan Commission's Standards of Review, hence the updated table below.

Please again note that TLNA Council voted to oppose this proposal and the major concerns of the neighborhood are detailed in our November 20, 2017, letter. The overall concerns of TLNA have not changed due to the proposal modifications.

The materials below summarize and update some of those concerns. Given that commissioners must find that all pertinent approval standards are met, we believe that the materials continue to provide conclusive evidence that several standards are not met, particularly with respect to following the city's Comprehensive Plan and the Tenney-Lapham Neighborhood Plan (TLNP). Additionally, the proposed demolition and moving of a total of 6 homes do not follow the purposes of approving Demolition and Removal, or the Standards for Map Amendments or Text Amendments related to the rezoning request.

The appendix also provides additional materials related to how the standards are not met.

TLNA respectfully asks that in light of this evidence and other concerns raised in TLNA's own proposal review process, **that Plan Commission find that the proposal does NOT meet the Standards of Review.**

MGO Section	MGO Standard	Proposal as of 4/23/2018	Variance
28.182(6)	Concerning rezoning: <i>"... map amendments... shall be consistent with the Comprehensive Plan..."</i>	The rezoning request is from TR-V2 to NMX.	The Comprehensive Plan and TLNP do envision a possible extension of NMX to this block in order to accommodate additional commercial spaces, but large-scale teardown of existing residential structures replacement with out-of-scale mixed-use buildings is not envisioned in the TLNP. The TLNP is the primary source of neighborhood guidance for zoning and land use matters in the Comprehensive Plan.
28.183(6)(a)(3)	<i>"The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner."</i>	The depth of the two new buildings will be almost double that of the existing buildings on the block, including the new RPG building.	The uses and enjoyment of owners, residents, and business owners in the smaller scale structures on the block and on nearby blocks will be impaired. The aesthetic scale of the nearby neighborhood will be diminished.

28.183(6)(a)(7)	<i>"The conditional use conforms to all applicable regulations of the district."</i>	The requested conditional uses include allowing two 27-unit apartment buildings, which individually or combined are much larger than any buildings on the entire block, including the adjacent RPG building under construction.	The applicable regulations of the district include the TLNP and the Comprehensive Plan, which do not call for large developments and large-scale teardown/replacement projects in the built portions of the neighborhood. Specific conflicting portions of the Comprehensive Plan and TLNP are referenced below.
28.183(6)(a)(9)	<i>"...the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area..."</i>	The building's horizontal scale and design are beyond the existing or intended character of the area. The depth of the new buildings is almost twice that of any nearby buildings.	The horizontal scale is incompatible with the area and the aesthetic of the area is not sustained. UDC expressed concerns about the horizontal scale of the new buildings.
28.185(1)	<i>"Demolition and Removal" "The purpose of this section is to aid in the implementation of the adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of disrepair from lack of maintenance..."</i>	3 homes will be demolished, 1 moved to the same block, and 2 moved elsewhere. New market rate apartments in a desirable area will replace existing apartments.	While 1 of the homes could be considered beyond repair, the owner will be rewarded for using a "demolition by neglect" tactic. It is true that previous owners initiated and benefited from this approach, but the developer purchased these homes with the intent to tear down as many as possible, thereby participating fully in the tactic. This should not be endorsed or rewarded. Additionally, the Landmarks Commission findings were that it "... deeply regrets the loss of the neighborhood cohesion and vernacular architecture caused by the demolitions/relocations..."
Madison Comprehensive Plan	For NMU, a potential future land use category for this site: <i>"Net residential densities within a neighborhood mixed use district generally should not exceed 40 dwelling units per acre, but a neighborhood or special area plan may recommend small areas within the district for a higher maximum density if the development is compatible with the scale and character of the neighborhood."</i>	The proposed density of the overall site is 50.4 units/acre. The proposed density of the portion of the site with the 2 new buildings is 67.4 units/acre. The scale and character of the new buildings are oversized and contemporary.	For higher densities to be acceptable in an NMU district, the Comprehensive Plan demands that the development be compatible in scale and character. Neither of those exceptions is present in the proposal.

Respectfully,



Patty Prime
President, TLNA

TLNP	From the vision for the commercial area: <i>"The historic character of buildings is also seen in this local business district."</i>	The equivalent of 8 typical neighborhood lots will be filled with two new buildings that will contain 2 new commercial spaces.	These two new and large structures will have no connection to the historic character of the neighborhood. Justifying teardown/replacements by pointing to the Plan's vision of more commercial shops does not outweigh drastic departures from the vision to accommodate the out-of-scale residential component.
TLNP	From Issues: <i>"Renovation of existing buildings and design of new construction should blend into the historic character of the area. New business locations, including adaptive re-use of existing residential structures..."</i>	Adaptive reuse of existing residential structures into mixed commercial/residential is not included. The proposal's architectural design is contemporary and unlike most any other building in the built portions of the neighborhood.	The proposal's design does not blend into the historic neighborhood in architectural design or horizontal scale. The large buildings that will each house one small commercial space are not utilizing the existing structures and character while at the same destroying buildings that have potential for future adaptive re-use.
TLNP	From Issues: <i>"Ensuring that affordable, quality housing opportunities continue throughout the neighborhood. It is the goal of the neighborhood to continue to provide a range of housing choices. The rise of property values within the City and the neighborhood affects the availability of a wide range of affordable housing opportunities for both renters and owners, especially seniors."</i>	The proposal would demolish or move 6 homes of reasonably priced apartments and replace them with luxury apartments.	Tenney-Lapham has supported the construction of more than 1,000 new apartments, almost all of which are considered luxury apartments. Fortunately, some of those are bona fide affordable housing with income caps. The portion of the TLNP that support a diverse set of housing types and affordability are being violated by the proposal, particularly when existing reasonably priced housing disappears.
TLNP	<i>"...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."</i>	The proposal will demolish 3 of the current homes and move 3 others, replacing them with luxury apartments.	The Plan's call to preserve and rehabilitate existing structures is strongly supported by TLNA. Wholesale teardown of multiple useable structures should be supported only if the scale of new structures is appropriate and the structures to be demolished are blighted.

Appendix: Additional Standards Not Met

MGO Section	MGO Standard	Proposal as of 3/21/2018	Variance
28.183(6)(a)(4)	<i>"... the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district."</i>	The horizontal footprint of the 2 new buildings is out of scale for the area.	The oversized scale creates momentum for additional large-scale teardown/replacement projects in the built portions of the neighborhood, which is not normal or orderly and could impede improvements to surrounding properties.
28.185(1)	<i>"Demolition and Removal" "It is hereby declared a matter of public policy that the good maintenance and rehabilitation of existing buildings, the preservation of safe and sanitary housing available at reasonable prices, and the careful consideration and planning of changes in the urban landscape are a public necessity..."</i>	3 homes will be demolished, 1 moved to the same block, 2 moved elsewhere. New market rate luxury apartments in a desirable area will replace existing apartments.	All but one of these homes could be rehabilitated with a minor investment. This would keep housing available at "reasonable prices" and would support "the careful consideration and planning of changes..." rather than demolition of useable homes.
Madison Land Use Map	Land Use Density Criteria: TLNP, Medium Density Residential (1): - 16 to 25 units/acre. TLNP if site is changed to NMU: - 16-40 units/acre. Comprehensive Plan, Medium Density Residential: - 16-40 units/acre. Proposed New Land Use Map, Low-Medium Residential: - 7-30 units/acre.	Proposed density of the overall site: - 50.4 units/acre. Proposed density of the portion of the site with the 2 new buildings: - 67.4 units/acre.	While density is recognized as a fungible quantity, the new buildings' site in particular is well over the recommended density criteria in all the plans, current and future. The adjacent RPG building also exceeds the recommended densities, but is more appropriately scaled and lower rents are anticipated, so the neighborhood approved of that variance. Other higher density proposals have been endorsed by the neighborhood when they are bona fide affordable housing and/or appropriately scaled.
TLNP	From Issues: <i>"Strengthening the vitality of the neighborhood commercial core on East Johnson Street by encouraging rehabilitation of existing buildings, some new commercial construction..."</i>	The 2 proposed commercial spaces are quite small at < 1200 square feet each. There is no rehab of existing structures for commercial space.	The TLNP envisions new commercial spaces in the front of existing buildings, analogous to current Johnson Street business, along with some new construction. The proposed out-of-scale buildings violate those visions.
TLNP	From Issues: <i>Any revitalization efforts should both enhance Tenney-Lapham historic structures and places, while also updating them for current and</i>	The proposal demolishes or moves 6 homes.	While wholesale demolition and moving of vernacular architecture might be considered "updating" by some, TLNA disagrees.

	<i>future uses.”</i>		
TLNP	<p>From Design Standards: <i>“... 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...</i></p> <p>Teardown Replacements: <i>“Ratio of footprint-to-lot-size of replacement residential structures should be comparable to the surrounding neighborhood.”</i> <i>“Consistency of scale, spacing, and general architectural vernacular of the surrounding neighborhood is required.”</i></p>	<p>The proposal will demolish 3 of the current homes and move 3 others. The ratio of footprint-to-lot-size of the replacement structures is much larger and the architecture is contemporary compared to all neighborhood buildings, with the exception of the new RPG building.</p>	<p>The Plan envisions most removal of structures if they are toothaches. Five of the six homes to be demolished or moved are in good shape or salvageable. The scale of the proposed structures is inappropriate and does not respect the architectural vernacular of the surrounding neighborhood. The adjacent RPG building is also contemporary, but is of a more appropriate scale – at less than 3 lots wide, 3 stories, and just more than half the depth on the lot of the proposed Houden buildings.</p>