

FIRST SETTLEMENT NEIGHBOR COMMUNITY (FSNC) COMMENT

The FS neighbor community prepared a summary of FSNC Interests (submitted as comment) highlighting intent, wishes and concerns for the development concept based on discussion over multiple neighborhood gatherings.

The major comments based on project concept are the following.

- Design considerations that reflect the Downtown Plan, First Settlement Neighborhood Plan and Madison Comprehensive Plan in concert with Historic Preservation efforts.
 - INTEGRATE the design into the location versus superimposing onto location (DTP O4.12, R108).
 - PD (134 S Blair) zoning is currently expired. CMP general land use highlights low or low-medium residential density.
 - The project interface with interior side of Germania Townhome condos requires careful design and respect of current residents, heights to be 2-3 stories.
- Project design honor neighborhood efforts and intent concerning the Historic District ordinance and National Historic District.
- Design for site access and traffic patterns careful consideration.
 - Oppose the proposed service entrance off the designated neighborhood street of S Franklin St and adjacent to residential Germania Townhome condos property.
 - Ruby Marie appears to lack a service entrance.
 - Parking plan appears insufficient for commercial use of block and will push parking onto neighborhood streets with already congested street parking.
 - S Blair St and E Wilson are thoroughfares with a major gateway intersection. S Franklin St is a neighborhood St not intended for through traffic. (DTP p39)
- Timeline to application on May 29 is aggressive for the project given the complexity of the site and outstanding concerns based on available information.

Neighbors in the community expect:

- **Shading study** and light impact analysis of the proposed structure on adjacent and surrounding structures and homes.
- **Traffic study** to assess traffic impact on neighborhood and surrounding area.

Additional references:

- FS Neighborhood Community Interests
- Prepared Summaries: Block 115 Plan information, Historic District, Zoning
- [Downtown Plan](#)
 - Streetscape p39
 - Downtown Core p42
 - First Settlement p57
- [First Settlement Neighborhood Plan](#)
 - Master Plan Goals
 - Redevelopment Recommendations R7, R14
- [National Historic District E Wilson](#)

BLOCK 115 DEVELOPMENT

FIRST SETTLEMENT NEIGHBORHOOD INTERESTS

April 2019

STATEMENT WITH INTENTION FOR AN EXTRAORDINARY PROJECT

The First Settlement Historic District and Neighborhood strongly support a development within Block 115 that will add housing and basic commercial services to our neighborhood in a compatible, creative and responsible way.

We, as invested neighbors, expect that the development of Block 115 will respect and compliment the neighborhood, its historic legacy, its integrity, its livability, and its well-being. We seek a project that is integrated into the First Settlement Neighborhood rather than be superimposed onto it.

We support thoughtful, complimentary designs that respect the historic setting of the First Settlement Neighborhood. We look for development that truly honors the district and its significance as the site of the first development of the non-native character of this city; its early existence as a center of transportation, commerce, and institutions; and its contemporary status as an intact and vibrant neighborhood of residences, businesses, and services – all in the shadow of the Capitol.

WE SPECIFY THE FOLLOWING:

HISTORIC PRESERVATION AND INTEGRITY

- A project adheres to historic district intent and standards, zoning and plans, addressing structure heights, massing, density, scale, cohesion and “visual compatibility” while maintaining the historic character.

- Honor the objectives and efforts of neighborhood residents over the years to ensure historic preservation through zoning and area plans for this significant block in Madison’s oldest commercial and residential district.

DESIGN

- FS neighbors oppose placement of severe structures such as parking garage walls, waste facilities, mechanicals, service docks, waste and service entrances (ingress and egress from S Franklin St) imposing on neighbor property views, light and residential context.
- Retain, enhance and protect existing green space, trees and wildlife.
- Incorporate sustainable, green options such as garden walls or natural features facing neighbors and visitors.
- A project integrates into the neighborhood rather than superimposes onto it.
- A project builds on and enhances the ambience and livability of the greater neighborhood.

DEVELOPMENT HEIGHT & MASSING

- FS neighbors **expect a shading study** to assess the project’s impact on the neighborhood and existing natural features.
- FS neighbors advocate “visual compatibility” of height and massing consistent with historic district standards, zoning, neighborhood plans and city plans.
- FS neighbors support appropriate development and massing, stepping down to adjacent structures on Block 115 and on adjacent blocks, such as residences, townhouses, condos, Hotel Ruby Marie, Settlement Place and historic buildings along the Blair St corridor.
- FS neighbors advocate that highest density be on the existing parking lot along Blair St. and away from the Franklin St. residences (notably Germania Townhome Condos) adjacent to the surface lot.

BLAIR ST HOMES

- Preserve and restore the four homes on Blair St incorporating them into the proposed development as housing, small business retail or commercial use.
- Maintain, enhance and protect the green spaces and trees on the current lots.

OWNER OCCUPANCY

- Unit ownership is a priority.
- FS neighbors also support affordable unit options, adding to the strong and diverse character of the neighborhood.

TRAFFIC AND SAFETY

- FS neighbors expect a **traffic study** to assess current and forecasted impact of additional vehicles on the neighborhood traffic flow.
- Respect and maintain the “neighborhood street” designation for S Franklin St and E Main St.
- Integrate and enhance pedestrian and bicycle use within the block, consistent with adjacent bike-ped patterns and use.

COMMERCIAL SPACE

- Maintain commercial use along E Wilson St. rather than making it largely a lobby entrance.
- Incorporate diverse commercial clients and retail that will draw neighbors to the block.

BLOCK 115: Downtown and Neighborhood Plans Information

What about the Downtown Plan?

- The city underwent an extensive process to capture input regarding the future vision of our downtown. This Downtown Plan was adopted in 2012.
DTP: https://www.cityofmadison.com/dpced/planning/documents/Downtown_Plan.pdf
- DTP p.35: **Generalized Future Land Use** indicates the area within our LHD should be predominantly residential. The properties fronting E. Wilson St. should be mixed-use as part of the Downtown Core.
- DTP p.39: **Streetscape Design** indicates that S. Franklin and E. Main Sts. should be neighborhood streets as opposed to thoroughfares that have a higher traffic use.
- DTP p.37: **Maximum Building Heights** specifies:
 - 3 stories in areas near existing 2-3 story homes, that is, by the corner of E. Main and S. Blair Sts. and behind Germania Condos.
 - 6 stories along part of S. Blair St. and along all of E. Wilson St. The 6 story area begins about 55' from the back property line of the Germania Condos.
- DTP p.57: **Recommendations for the First Settlement Neighborhood** (FSN) include:
 - Objective 4.12: "The FSN should build on its historic character and focus new development on key sites on the edge of the historic core to strengthen the neighborhood and its identity as a historic neighborhood. Opportunities exist to better connect this area to the lake and views of it from within the neighborhood should be preserved."
 - Recommendation 108: "Preserve the character of the FS HD and ensure new development is compatible with the historic context in scale and design."
 - Recommendation 109: "Rehabilitate existing housing and selectively allow new housing on vacant or underutilized non-historic sites within the historic core."

Why 6 stories?

- Residents recognize the large parking lot at 134 S. Blair St. as a prime area for infill development and wish to give flexibility in height compared to the neighboring 2-3 story buildings in exchange for achieving neighborhood goals including preservation of and visual compatibility with the neighboring historic buildings.
- The 6 story maximum height for the four homes on S. Blair St. and the commercial buildings on E. Wilson St. does not imply a desire of the neighborhood to redevelop those sites.
- DTP p.37: "The Maximum Building Heights Map illustrates the maximum height of the tallest building within each colored area, and does not illustrate more subtle height limits that may result from the protection of specific view corridors, building street setbacks, upper story building stepbacks, desired variety in building heights, or landmark or historic district designations."

BLOCK 115: Downtown and Neighborhood Plans Information

What about the FSN Plan (FSNP)?

- Residents of the FSN underwent a process to capture input regarding the future vision of our neighborhood. This plan was adopted in 1995, which was further refined with the designation of our First Settlement Local Historic District in 2002 (see Block 115: Historic District Ordinance Information).
FSNP: <https://www.cityofmadison.com/planning/ndp/firstsettlement.pdf>
- FSNP p.5: **Master Plan Goals** include:
 - "Maintain and enhance the diversity of housing option in the FSN. Promote high quality development for all housing options."
 - "Expand the neighborhood's residential population with new infill development that sensitively increases the density of the neighborhood."
 - "Preserve the historic character of the FSN as the oldest commercial and residential district in Madison."
- FSNP p.12: **Redevelopment Recommendations, Germania Development** (i.e., parking lot at 134 S. Blair St.) "Strategic mixed-use redevelopment site for the neighborhood and downtown. Higher density residential development along Blair St with landscape setbacks. Structured parking with the potential to provide both public and private parking. ... Potential neighborhood retail related to the E. Wilson St. frontage. Coordinate urban design and open space framework to establish a unified development. Design to complement historic character of the neighborhood and maximize views to Lake Monona and the State Capitol."
- FSNP p.14: **Redevelopment Recommendations, E. Wilson St. Commercial District.** "Potential for a unique commercial district with neighborhood retail, specialty retail and entertainment uses. Emphasis on historic preservation and store front improvements to establish a stronger pedestrian character for E. Wilson St. Establish design guidelines for building rehabilitation and facade improvements in historic commercial districts. Commercial development should be planned to minimize impact on the adjoining residential area such as noise, parking, traffic, security, etc."

BLOCK 115: Historic District Ordinance Information

What is a Local Historic District (LHD)?

- A LHD is a designated area in Madison where properties within the district's boundaries are notated so that work done on those properties must comply with the requirements of the LHD's ordinance. The LHD's ordinance is the local law that fosters preservation of historic resources and compatibility of new construction with the neighboring historic resources. Chapter 41 of the Madison General Ordinances (MGO) specifies the Historic Preservation Ordinance (HPO).
MGO.HPO:https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIVCH32--45_CH41HIPR
- The city is undergoing an extensive 2-phase process to rewrite the HPO. The first phase completed about a year ago, and the second phase of rewriting each district's ordinance is in process.

What is the First Settlement Local Historic District (FS LHD)?

- The FS LHD was designated in 2002 to preserve the array of modest frame and brick structures built by the industrious German, Irish, and Norwegian immigrants that lived and worked in our neighborhood going back to Madison's earliest days. Our LHD exemplifies the mix of working-class homes in close proximity to places of commerce and industry where many of these residents worked as clerks and merchants, as trades people, and for the railroads.
FS Map: http://www.cityofmadison.com/dpced/planning/documents/First_Settlement_Local%20.pdf
MGO.FS:https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIVCH32--45_CH41HIPR_SUBCHAPTER_41GDEHIDIHIDIOR_41.26FISEHIDI
- MGO 41.26 (3) Historic resources for our LHD include:
 - (1) "Landmarks."
 - (2) "Landmark sites."
 - (3) "Properties constructed during the period of significance. 1850 - 1920"

How does our Local Historic District (LHD) foster preservation and compatibility?

- The Landmarks Commission must grant a "Certificate of Appropriateness" (CoA) that proposed work is in agreement and compliance with the LHD ordinance.
- MGO 41.18 (1) **New Construction.** ... "The Landmarks Commission shall approve a CoA for ... construction only if:"
 - (c) "... the proposed construction meets the adopted standards and guidelines for that district."
 - (d) "... the proposed work will not frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources."
- MGO 41.18 (2) **Demolition or Removal.** "In determining whether to approve a CoA ... the Landmarks Commission shall consider all of the following ..."
 - (c) "Whether the structure ... contributes to the distinctive architectural or historic character of the historic district ..."
 - (h) "Whether any new structure proposed ... is compatible with the historic resources of the historic district ..."
- MGO 41.18 (4) **Land Divisions and Combinations.** "The commission shall approve a CoA ... unless it finds that the proposed lot sizes ... are incompatible with adjacent lot sizes, or fail to maintain the general lot size pattern of the historic district."

BLOCK 115: Historic District Ordinance Information

Why include the large parking lot at 134 S. Blair St. as part of the FS LHD?

- In addition to being within the FS LHD, it is surrounded by the southern portion of Third Lake Ridge LHD as well as the East Wilson Street National Register Historic District.
TLR Map: http://www.cityofmadison.com/dpced/planning/documents/Third_Lake_Ridge_Local.pdf
EWS Map: http://www.cityofmadison.com/dpced/planning/documents/East_Wilson.pdf
- Including this parking lot in the FS LHD was intended to ensure new structures follow the standards of our LHD ordinance including being visually compatible with this historic setting.

What is "visual compatibility" (VC)?

- MGO 41.02: "Visual compatibility means harmonious with location, context, setting and character."
- MGO 41.26 (4)(a): "New principle structures shall be similar in height to the structures directly adjacent to each side. ... New principle structures shall be compatible with the scale, proportion, and rhythm of masses and spaces of structures within 200 feet of the proposed structure."
- MGO 41.03 (5): Measuring 200 Feet Around Properties: "... measurements around properties shall be taken from the lot lines of the subject property 200 feet in all directions. ..."
- Example of VC: Settlement Place originally was proposed to be a multi-tiered Prairie Style structure. Residents objective to this design's VC. Historically the site had been industrial so the project was redesigned in consideration of this historic context and to be VC with the neighboring historic industrial buildings across S. Blair St.

What about the four homes at 110, 114, 118 and 120 S. Blair St.?

- Three of the four homes are historic resources for our LHD being built in 1880's and the early 1900's. The fourth at 110 S. Blair St. was built in the 1920's but in a style like the other three.
- These homes are examples of those structures our LHD was designated to preserve. They represent the close relationship of working-class residences with the commercial and industrial buildings across S. Blair St.

The issue of precedent.

- The demolition of our LHD's historic resources (i.e., homes on S. Blair St.) would set a troubling precedent for further demolition. *Note: Blair St homes are currently not part of the project.*
- First Settlement has many modest homes that are vulnerable to redevelopment as do other LHD that are facing significant redevelopment pressures.
- Redevelopment that demolishes historic resources undermines the predictability and stability of LHDs. LHDs should foster preservation to encourage property owners to invest in rehabilitation and restoration of their buildings. This is discouraged by the uncertainty that such redevelopment creates. It also encourages investors to buy and hold properties doing minimal maintenance in hopes of profiting from a future redevelopment rather than investing in their properties to enhance and strengthen the LHD.

BLOCK 115: Zoning Code Information

What is the Zoning Code?

- The Zoning Code (Zoning Ordinance) is the local law that specifies how and for what purpose properties can be used. Chapter 28 of the Madison General Ordinances (MGO) specifies the Zoning Code Ordinance (ZCO).
MGO.ZCO:https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMA_WIVOIICH20--31_CH28ZOCOOR
- The city underwent an extensive process to rewrite the zoning code, which was adopted in 2013.

How is the proposed redevelopment site currently zoned?

- The four homes (*currently excluded from the proposed project*) at 110, 114, 118, and 120 S. Blair St. are zoned DR1. This zoning is intended to ensure that if one was destroyed (e.g., fire) that it would be replaced with a similar structure that would also need to comply with the FS LHD ordinance. The proposed redevelopment would require the rezoning of these properties from DR1 to PD.
- The zoning of the large parking lot at 134 S. Blair St. has expired since it was zoned more than a decade ago for a previous redevelopment project that was never realized. The proposed redevelopment would require zoning the parking lot properties to PD.
- The zoning of the commercial properties at 506, 510, 514, 516, and 518 E. Wilson St. has expired since it was zoned more than a decade ago for a previous redevelopment project that was never realized. The proposed redevelopment would require zoning these properties to PD.
- The proposed redevelopment does not include the Ruby Marie at 522 E. Wilson St. or the empty lots at 502 and 504 E. Wilson St.

What is currently proposed by the redevelopment for demolition or preservation?

- The redevelopment *currently excludes* the four homes on S Blair St. Demolition of these homes would require a Certificate of Appropriateness from the Landmarks Commission (see Block 115: Historic District Ordinance Information).
- The redevelopment proposes the demolition of the commercial properties at 510, 514, 516 and 518 E. Wilson St., which are outside of any LHD and won't be reviewed by the Landmarks Commission.
- The redevelopment proposes the preservation of the commercial property at 506 E. Wilson St. (The Come Back In).

What is DR1 zoning?

- MGO 28.078: **DR1 stands for Downtown Residential 1 District**, which specifies standards for the property use, dimensions, as well as building and site standards.
MGO.DR1:https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMA_WIVOIICH20--31_CH28ZOCOOR_SUBCHAPTER_28EDOURDIZOCO_28.078DORE1DI
 - Use: Predominantly residential with up to 8 dwelling units permitted depending on lot size, and larger multi-family dwellings requiring a conditional use permit.

BLOCK 115: Zoning Code Information

- (2) Dimensional standards include:
 - Minimum Setbacks: front 15 feet, sides 3 - 5 feet (depending on lot width), back 26 feet given 132 feet lot depth of the properties at 110, 114, 118 and 120 S. Blair St.
 - Maximum Lot Coverage: 75%
 - Maximum Height: (covered in Block 115: Downtown and Neighborhood Plans Information).
- (4)(a) Maximum Building Width: 60 feet
- MGO 28.077 (1): **Downtown Residential Districts Statement of Purpose** includes:
 - (b) “Promote the preservation and conservation of historic buildings and districts while allowing selective infill and redevelopment based on the recommendation of adopted City plans.”
 - (c) “Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of scale and rhythm, building placement, façade width, height and proportions, garage and driveway placements, landscaping and similar design features.”

What is PD zoning?

- MGO 28.098 (1): **PD stands for a Planned Development District**, which 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 that features high-quality architecture and building materials.”
MGO.PD:https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOICH20--31_CH28ZOCOOR_SUBCHAPTER_28GSPDI_28.098PLDEDI
- MGO 28.098 (1): “Because substantial flexibility is permitted in the base zoning districts, the PD option should rarely be used.” Note that, except for the homes at 110, 114, 118 and 120 S. Blair St., the underlying zoning has expired.
- The PD process has multiple steps
 - involving the Plan Commission, the Urban Design Commission, and the Common Council,
 - requiring the approval of both a General Development Plan (GDP) and a Specific Implementation Plan (SIP), and
 - resulting in amendments to the zoning code.
- MGO 28.098 (2): **“The standards for approval of a zoning map amendment to the PD District ... are as follows:”**
 - (b) “The PD District plan shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.”
 - (d) “The PD District plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. ...”
 - (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.”
 - (f) “The PD District plan shall include open space suitable to the type and character of development proposed, including for projects with residential components, a mix of structured and natural spaces for use by residents and visitors. Areas for stormwater management, parking, or in the public right of way shall not be used to satisfy this requirement.”