

City of Madison, Wisconsin

**REPORT OF:** URBAN DESIGN COMMISSION

**PRESENTED:** July 1, 2020

**TITLE:** 414 E. Washington Avenue – New 8-10 Story Mixed-Use Building Containing 4,000 Square Feet of Commercial Space, 152 Dwelling Units and Underground Parking in UDD No. 4. 2<sup>nd</sup> Ald. Dist. (58980)

**REFERRED:**

**REREFERRED:**

**REPORTED BACK:**

**AUTHOR:** Janine Glaeser, Secretary

**ADOPTED:**

**POF:**

**DATED:** July 1, 2020

**ID NUMBER:**

Members present were: Cliff Goodhart, Chair; Tom DeChant, Lois Braun-Oddo, Christian Harper, Craig Weisensel, Rafeeq Asad, Syed Abbas and Shane Bernau.

**SUMMARY:**

At its meeting of July 1, 2020, the Urban Design Commission **GRANTED FINAL APPROVAL** of a new mixed-use building located at 414 E. Washington Avenue in UDD No. 4. Registered and speaking in support were Angie Black, Randy Bruce and Duane Johnson, representing Knothe & Bruce Architects, LLC.

Black noted that the steering committee declined to meet with the development team again after May 27 UDC meeting. The Downtown Plan specifically designates this site as one of few available for infill development. This site presents a unique opportunity to provide maximum allowed density for additional housing development. It allows for up to 8 stories across the entire site, and two bonus stories. The developer is proposing 10 stories on East Washington while stepping back to 6 stories on the back of the site for better transition to the neighborhood. In terms of Standard A as proposed the bonus stories are compatible with the planned area. Johnson focused on the design changes to the entrances, stepbacks and setbacks, and parking circulation with an almost 1:1 ratio. They now have a well-defined bottom, middle and top of a cohesive building. They simplified the balconies.

Bruce spoke to the bonus stories. This project is not adjacent to landmark so that doesn't apply. There are no negative impacts on priority viewsheds, they've looked at that before, and the UDC staff memo states that really isn't a concern. The excess height is only granted for a demonstrated higher quality building within additional height area H, with a specific goal to give design flexibility that would encourage taller buildings. They have 9-10 foot yards on all sides, well landscaped, and will provide an environment for pedestrian and the public at large that will be comfortable and attractive. They looked at 8 story building shown at a reduced setback but you can see the difference between those two. There's a real benefit to move some of that massing from the north side of the site up towards East Washington, it provides that transition and puts the height of the building where it should be along the transit corridor. Regarding the fourth standard to show that it is compatible with the existing or planned character of the surrounding area, within the context of the downtown height map they are very consistent with planned heights. The code allows a taller floor to floor that what they are proposing. If

they were to use the code allowed 14-foot floor heights an 8 story building would actually be taller than the 10 story building proposed (diagram shown). As a city, Madison needs to develop in an environmentally friendly manner on transportation corridors and where it's planned for. We need to increase the supply of housing. It would be environmental irresponsible to under develop this site.

Dawn O'Kroley spoke in opposition. This process is far from over. The height illustrations before you do not reflect adopted plans and display this building is not compatible with adjacent buildings. The height illustration 3 down Hancock, the four story haze cast over Hancock and Mifflin is the St. Paul's Church, eligible historically as the first African American church in Madison. The character of this neighborhood and maintaining it has been clear by Council with rental loans for homeowners. The bigger issues at hand, this group hasn't addressed the bonus stories, this needs to go to Plan Commission. The First Settlement Ordinance was written more recently and refers to 200-feet of new structures in all directions not specifically in the district. This is immediately adjacent to First Settlement. We must follow the Comprehensive Plan, this is a much larger conversation. If you give initial approval, your voice is over, that's height, mass and site plan. I'd ask the body for rejection or referral to Plan Commission prior to making findings.

Andrea Fresen spoke as resident directly next door in a housing cooperative with no desire to move any time soon. This City needs to take steps to stand up to the values we talk about. This entire process has felt part of the problem beginning with lack of neighborhood involvement, and urgency to pass this huge project during a global pandemic. We are being complacent without examining the equitable system. We can't ignore red lining history which occurred in this neighborhood. We already reduced black history down to one building in this neighborhood. We need to rethink how planning boards or community input is organized. Listen to people who live in disadvantaged communities. This building is for the economically elite. What are they giving back to the community, what are they offering us? To the uniqueness of the James Madison neighborhood? It is beyond challenging to find affordable places to live. If this is built it will shade her house through the entirety of a Wisconsin winter. If this was providing something to the community it might be worth it – it's not. We need higher expectations of developers of what they offer the community. It's about history, people and place, how the building fits into our neighborhood. Could they offer solar panels, mixed-income units, a free community meeting center since our neighborhood doesn't have one? Developers stand with us and work with us on making a better place to live.

Alexandra Dem...spoke in opposition and also lives right next door. There has been little to no community input, she knew nothing about today's meeting. This structure as a whole is very inappropriate for the context of the neighborhood. Yes zoning allows 8 stories, but there are no other buildings that are 8 stories, you shouldn't just slap it in there and say OK. It is highly ironic that from the rooftop pool you can see the soup kitchen. This is an unhealthy representation of neighborhood development. It should come from asset based development and shouldn't involve bulldozing what's here and bringing in something from outside. Locals won't have any benefit whatsoever from this.

David Schwab spoke in opposition with grave concerns about this impact on the block and neighborhood as a whole. The global pandemic has made it difficult to participate. The same concerns he has are very widespread in the community. In one week over 350 people responded to a petition to not approve this development. It will be a greenlight to begin the gentrification of the James Madison neighborhood. The effects of development decisions on diversity cannot be ignored during a pandemic and social justice movement. The City should not prioritize a developer over neighborhood and community.

Bob Klebba spoke in opposition and referenced a report included in the packet. It is concerning that the concept of adding more apartments will decrease rent; that is a fallacy that has been disproven time and time again. We do need more apartments but building luxury apartments won't provide for those of us who work and live in

Madison. 2 ½ years ago you reviewed an application for a proposal next door at 502 E. Washington (he read from Tim Parks' memo). Consistent feedback provides predictability and improves development in our City. This will make neighboring houses unlivable.

Anthony Brylski spoke in opposition. They should get bonus stories because we got a few extra feet of lawn? It's supposed to be for buildings that are extraordinary. The height is extraordinary but nothing else is. It doesn't have a particular context that relates to it. There is no architectural merit.

Gary Tipler spoke in opposition and does not find compatibility with the neighborhood in the least. There was never an adequate historical analysis of this neighborhood. This represents the working class, much of which are still in place. This could be more compatible in height and mass.

Mariah Renz spoke in opposition as a homeowner across the street in 1,00 square foot two-story home built in 1833. She has taken advantage of loans the City offers for people who want to move into this neighborhood to turn rentals into single-family homes. This neighborhood isn't just a bunch of rentals that needs to be taken down but a diverse, interesting neighborhood with interesting people and homes living in it. She is nervous something this huge could come in and take away all her sun, that feels inappropriate. The developers should go back to the drawing board for something that merges into the neighborhood.

8 support  
51 opposed

The Commission discussed the following:

- We should focus on the 3 criteria listed in the staff report?
- (Secretary) The requested refinement to allow the bonus stories.
- We've heard a number of views on this in terms of compatibility. Staff thinks we could find this is compatible.
- Last time we saw this project there were some recommendations to justify the bonus stories. I'm trying to understand, did this change that much? It seems like there's a lot of little things that have been added to the design when we were at a good place. If you look at what we are tasked to do as a general body, part of that is to encourage economic values and proper use of properties. The concerns brought up are definitely valid concerns and I would like the applicant to address those in terms of not only gentrification, they should respond to those concerns.
  - The bonus height standards are specifically outlined in the code. We addressed each of those in our presentation, they're outlined in the staff report. Bonus height allows for better design – we feel strongly that allowing us to reallocate some of the building massing and compressing our footprint allows for a much better design. It results in better yards, move massing towards E. Washington away from the neighborhood, all exterior masonry to the building, high quality materials throughout as well as generous rooftop outdoor spaces. There were questions about shadows and solar access. We had submitted a solar study which we could show. Our shadow study movie shows a 10 story is equivalent to 8 stories in terms of solar access. We eliminated the gable roof form but the rest is the same. We looked at the balconies, corners, and have addressed those. We've addressed all the issues the Commission asked us to.
- I'm going to disagree. We offered an opportunity for this to be refined. Just to address it doesn't mean it was addressed properly. Some of the design doesn't justify giving a bonus story. The roof elements were tweaked but those actions don't warrant bonus stories in what I'm looking at right now.
- The staff memo points us to make a finding that compatibility exists, there is cohesive architecture, and long views are not necessarily an issue. A and B are the standards we should grapple with first.

- We keep getting conflicting information from plans and agencies. This particular block in general and that block specifically talks about going up to 8 stories. I struggle with who am I supposed to listen to on these? These fine legalities and conflicting advice on plans are changing over time, which takes precedent that pertains to this district? It puts us in a really difficult place.
- (Tim Parks) Mr. Harper makes a fair point, how to parse the City's plan recommendations and its maximum allowances with decisions UDC needs to make. The Downtown Plan says it may be appropriate and may be further appropriate for up to a 10-story building on this site. That's different than saying it shall be done because you have to weigh additional height and conditional use standard #14 outlined in Janine's report. Anything above 4-stories is a conditional use. We have to weigh the urban design of this project, how it impacts the surrounding neighborhood; making a recommendation if the Plan Commission can find those standards are met.
- With regard to what side of the site are they measuring the levels? At what point is it an 11-story building? To the houses adjacent it is an 11-story building.
- (Ald. Heck) I don't want conformity with UDD No. 4 to get lost in this discussion. The same conundrum exists there too (he read from them). This should be compatible with structures adjacent to them and the architecture should be compatible.
- What would be compatible?
- I empathize with neighbors' comments. There are a lot of issues baked into this conversation and decision. I don't know that we're ready for a vote yet. When we look at the conditional use standard 14, I do think that the excess height is compatible with the planned character of the surrounding area. The applicant has done a decent job and demonstrating that and excess height does allow for higher quality building. The viewsheds, I don't know if that's a big deal for this project, they're respectful of the East Washington corridor. This is difficult.
- It is difficult even without awarding bonus stories.
- We heard some powerful testimonies. I agree but that's not our purview. Here we review the design. I really wish the developer would have spent more time with the community and on more sustainability. I do think especially because of E. Washington and future BRT, having high density is compatible with the Comprehensive Plan. Bringing more housing, reducing carbon footprint, if it's done right with higher density, building up is beneficial for the environment. On the backside with 6 stories, I like that setback. I wish we could have 5. I would like to see the shadow study we requested last time.
- I am struggling with the excess height being compatible with existing or planned. Right now the onus is on the existing because planned is potentially decades out. At the same point I do like the way the building steps down and the height is more compatible with East Washington which is what it's facing. It's a conundrum with those houses so close to E. Washington. I wish it was just one story less; that face we measure from the higher side of the site doesn't seem fair to the houses next door and across the street on the lower part of the site. In address of design changes made, I do think it's an improvement, the simplification of the forms on the front. I agree in the sense the rectilinear base is more successful. The top is greatly improved without the gables. There's still a linear verticality to those last two stories that make it look taller. I'd be in support of the extra two stories if they're not going to reduce it by one. In fairness to the neighbors on Hancock I think it should be reduced by one.
- I want to make sure Commissioners are careful in not diminishing what our purview is. Words matter, we do more than just pick out colors. We have been charged with a lot more than how a building should look. Specifically 33.24 outlines the task of UDC, including fostering civic pride, promoting high quality of new buildings. I want to caution Commissioners to what you think our task it to only talk about what the outside of the building looks like.
- How we see the East Washington corridor.
- I think it's clear if you judge against existing it's not compatible. I would agree that the 10-story with step backs provides more relief than the 8-story mass right up against the houses. Density and

sustainability is called for in the Downtown Plan. That is the direction and what the City wants to encourage, all kinds of housing to supply. Most of the design improvements, it's a slightly cleaner design.

- We referred to give the neighborhood a chance to get their comments together. I'm leaning more towards if we have this purview to find a design solution that fits in this very unique site that borders multiple different areas, I would lean towards reducing the height but keeping the setbacks. This area might have to be a compromised solution to work with neighborhoods that are strong neighborhoods that made good points. Their weight should be held just as much just because they're on a border area.

### **ACTION:**

On a motion by DeChant, seconded by Bernau, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a vote of (5-2) with DeChant, Bernau, Braun-Oddo, Abbas and Harper voting yes; Weisensel and Asad voting no.

Discussion on motion:

- This is a problematic one but I guess I fall to the position that the City seems to have made a decision that these kinds of projects, especially on major thoroughfares are encouraged. I find this a very handsome building. I would love it if the whole thing was 8 and 4 instead of 10 and 6. I'd like to give a lot of the projects that come before us a haircut. Given the guidelines and this area's plans, I think this project should probably move forward.
- Amendment to motion: I like the rectilinear base vs. the curves (west side of the building, the stone base before it turns to brick).
- I concur, it added more strength to the building overall.