

Steering Committee Report on the Proposal for 414 E Washington  
2 November 2020

The steering committee is grateful to the Urban Design Commission and the Plan Commission for their careful evaluation of the application for 414 E Washington Avenue. At the neighborhood and steering committee meetings, there was a mix of support and opposition to this new application. Most feedback has been negative, citing a lack of integration with the James Madison Park Neighborhood and replacement of affordable housing with luxury apartments. This steering committee report will address the concerns raised during the steering committee process.

Overall, the committee recognizes that the site is ripe for improvement. Many members felt that a smaller building that steps down to meet the height of existing structures in the rear would fit better on E Washington Avenue and with the neighborhood. The committee reports here what particular features of the submitted proposal they generally feel do not meet Madison's zoning plans and ordinances.

Unfortunately, since the first application was addressed by UDC and PC, the residents of the 26 affordable housing units affected by the proposal have relocated and did not participate in the steering committee process for this application.

The majority of the committee felt:

- The proposal does not integrate with the James Madison Park Neighborhood, it does not meet the requirement of MGO 33.24(11)(d)4.b.i
- The proposal must be reviewed with respect to its existing context, not to a hypothetical neighborhood that may not exist for another 20 or 30 years.
- The 10- story tall proposed building will cast an unacceptable shadow on neighboring homes. The winter darkness will affect the livability of adjacent properties. A smaller building would be more acceptable.
- The high-quality design would be demonstrated at 6 or even 4 stories and does not require the excess 2 stories height. The excess height should be denied.
- Parking at a 1:1 stall to apartment ratio is too high for this location. A lower ratio could reduce the cost of construction and make some apartments more affordable.
- The loading zones proposed need to be evaluated for their adequacy and their impact on the James Madison Park Neighborhood.
- Removal of affordable housing downtown is not in the interest of the City or the neighborhood
- Demolition of buildings that contribute to the historic fabric of Madison must be denied. However, if the application is approved, the contributing buildings must be preserved by relocating them to a suitable location.

Those in support cited the following:

- The current proposal has better aesthetics than those of the first application
- This proposal is not meant to be low-cost housing. Affordability should not be a development criterion.

- Increased density is important for this downtown location. The neighborhood is highly walkable and bikeable.
- The construction of more housing units will increase housing supply and reduce rental costs

All were in favor of the following:

- The proposed design's setbacks are welcome and should serve to activate the streetscapes.
- The developer's efforts at sustainability are appreciated (see developer's attachment).
- The addition of electric charging stations and bike repair station are appreciated.
- Activation of the streetscapes on Franklin, Hancock and E Washington is important. Landscaping that enhances the pedestrian and neighbor experience is welcome.

### **Building Design, Mass**

Most committee members felt that mass of the proposed building doesn't fit with the James Madison Park Neighborhood and makes a difficult transition on the north lot line from 6 stories to 2 or 3. The committee generally felt that something in between a 3 and an 8-story structure would fit better. The size and scale of the proposed building makes a meaningful relationship with its neighborhood difficult.

### **Benefits to the surrounding neighborhood**

The Downtown Plan promotes development in the James Madison Park Neighborhood that respects the rhythm and flow of the older, low-rise residential construction. The steering committee asks the Plan Commission to consider these issues with respect to UDD4, the Downtown Plan and Conditional Use Standard 14.

Furthermore, the proposal should contribute more amenities to the James Madison Park Neighborhood. There could be a neighborhood meeting space, a community center, access to fitness facilities, and neighbor vehicle parking. Some committee members felt there should be consideration for the removal of units of affordable housing, blocking sunlight for most of the winter, and adding traffic and parking burden to the neighborhood's already congested streets.

### **Urban Design District 4**

The Urban Design Commission is required by MGO to follow the design requirements of the UDD4. *MGO 33.24(11)(d) "The development shall meet the requirements and conform as much as possible to the guidelines."* In particular, *MGO 33.24(11)(d)4.b.i "Structures should be designed to be compatible with the structures that are adjacent to them"*. The steering committee feel that the placement of even an 8-story building next to 2- and 3-story buildings is not compatible with the neighborhood. **The developer is proposing an 10-story-tall building that does not integrate with the neighboring properties on E Washington Avenue and on N Hancock and N Franklin Streets.**

A majority of the steering committee also felt that the presentation of the developer's proposal with 8-story and 6-story building placeholders surrounding it was disingenuous. One commissioner commented at the last UDC meeting that it is conceivable that the surrounding 2-story houses may continue to be residential for the next 20 years. **The commissioners are required to restrict their decision making to the MGO 33.24(11)(d)4.b.i and evaluate the proposal with respect to integration with the existing neighborhood**, not to perceive James Madison Park Neighborhood residents' homes as dominoes waiting to fall to further development. Steering committee members asserted that the adjacent area is not blighted or vacant and that the proposal threatens a vibrant residential community.

*MGO 33.24(11)(d)4.b.iii "All building elevations are of importance and should be carefully designed. When visible from roadways or adjoining properties, roof surfaces should be considered as part of the overall design."* **The roof design adds additional height, exacerbating the shading of residences well into the James Madison Park Neighborhood.**

## **Downtown Plan**

*Under Key 4, Maintain Strong Neighborhoods and Districts*

*Objective 4.11 The James Madison Park Neighborhood should accommodate a mix of dwelling units. . . . The renovation of existing houses coupled with selective development that generally reflects the scale and rhythm of the existing structures. . . .*

*Recommendation 105: Allow infill and redevelopment along Hancock, Franklin and Blair Streets generally compatible in scale and design with the predominantly "house like" neighborhood character.*

Also in Appendix C of the Downtown Plan:

*- Appendix C of the Downtown Plan: " . . . Where additional stories are available, it is not intended that they be earned merely by complying with standards and criteria that would be required and expected in any case, such as underlying zoning regulations, good design, or sensitivity to the adjacent historic landmark. The intent is not simply to allow a taller building, and additional stories show not be considered "by right" heights. Rather, additional stories are to be used as a tool to encourage and rewarded buildings of truly exceptional design that respond to the specific context of their location and accomplish specific objectives defined for the area."*

The majority of the steering committee want the PC to consider the impact of the proposal with respect to the James Madison Park Neighborhood. **The steering committee feel in general that the proposed development does not deserve the excess height because of the lack of "truly exceptional design" and its lack of integration with the neighborhood along E Washington Avenue and N Hancock and N Franklin Streets.**

### **Excess Height: Conditional Use Standard 14**

*When applying the above standards to an application for height in excess of that allowed by Section 28.071(2)(a) Downtown Height Map for a development located within the Additional Height Areas identified in Section 28.071(2)(b), the Plan Commission shall consider the recommendations in adopted plans, and no application for excess height shall be granted by the Plan Commission unless it finds that all of the following conditions are present:*

*a. The excess height is compatible with the existing or planned (if the recommendations in the Downtown Plan call for changes) character of the surrounding area, including but not limited to the scale, mass, rhythm, and setbacks of buildings and relationships to street frontages and public spaces.*

*b. The excess height allows for a demonstrated higher quality building than could be achieved without the additional stories.*

*c. The scale, massing and design of new buildings complement and positively contribute to the setting of any landmark buildings within or adjacent to the projects and create a pleasing visual relationship with them.*

*d. For projects proposed in priority viewsheds and other views and vistas identified on the Views and Vistas Map in the City of Madison Downtown Plan, there are no negative impacts on the viewshed as demonstrated by viewshed studies prepared by the applicant.*

The steering committee believe that the excess height is not required to demonstrate higher quality of construction. Furthermore, the applicant has chosen a roof design that adds to the maximum allowed height. In the rear of the building, the proposed height steps down to 6 and then 2 and 3 stories at the adjacent properties. There is great concern from the adjacent neighbors for the deep shade that the proposed development would generate. **Based on standard 14.a., a majority of the steering committee feel that the excess height must be denied.**

**The steering committee's review of standard 14.b. determines that the excess height is not required to construct a building of higher quality than could be achieved without the additional 2 stories.** A design with 6 stories at the façade and 4 stories in the rear could easily be a grand and very high quality building. Such a design would not require the excess height approval and would transition better in the James Madison Park Neighborhood.

### **Context of current zoning**

In spite of being a vibrant, livable neighborhood, The James Madison Park Neighborhood has a traditionally weak organizational structure. There has been no formal neighborhood association with regular meetings for many years. This is due to its small 6-city block size and partly to its large transient population. When the current zoning was imposed by the Planning Division, Plan Commission and Common Council, few in the neighborhood were aware that their lots with 2- and 3-story homes were rezoned at 4 and 6 stories.

The steering committee would like to ask UDC and PC to consider that in most zoning districts like NMX, *building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet when the district abuts a residential district. 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.* Most members of the committee are concerned that **the neighborhood was insufficiently informed about the details of the UDD4 at the time of proposal.** UMX zoning does not consider impact on adjacent properties. This loophole should be addressed jointly by the James Madison Park Neighborhood, the Planning Division, and Plan commission.

Furthermore, several nearby residents have used city funding to rehab owner-occupied houses slated to be shaded by the proposal. **It doesn't make sense for the city to invest financially in a residential neighborhood and then promote a project that encourages demolition and reconstruction.**

### **Preservation of historic buildings**

Because the historic buildings on E Washington Avenue are not landmarked or in a local historic district, the Landmarks Commission's strongest language against demolition is hollow due to ordinance. While these buildings aren't protected as well as others of the same age or historic significance, members of the steering committee felt that their demolition must not happen. **If the application is approved, a condition of approval should require their relocation.** Many other downtown developers have successfully relocated buildings in the area at relatively insignificant expense.

Gentrification is gradually destroying the vernacular historic fabric of Madison's downtown. For example, the current zoning and Downtown Plan do not preserve Madison's historic Black neighborhood one block away from the proposal. Even though this process focuses on the applicant's lot, the developer has repeatedly stated how their proposal will encourage large scale development of the rest of the area.

### **Equitable Development**

In the Planning Division's 2019 report on displacement and gentrification in Madison, the James Madison Park Neighborhood is cited as in the late stages of displacement and gentrification. In spite of increased levels of education and home ownership, there is a continued loss of accessible and affordable housing.

This proposal would remove affordable housing for people who work downtown. It is a net loss to the diversity and affordability of the neighborhood. The above-market-rate units in the proposed luxury development would be out of reach for the hospitality, grocery and health care workers who live and work downtown. This proposed development is the first major gentrification project for the JMP. Most members of the steering committee are greatly concerned about the **long-term impact it will have on affordability, equity and diversity in the neighborhood.**



**Images from the block of the proposed development**

