

**TLNA Steering Committee Summary Report
for Stone House Development's Proposal for 1000 Block of E. Washington
8 December 2018**

This report presents findings of the Tenney-Lapham Neighborhood Association's (TLNA) Steering Committee on the proposal by Stone House Development for eastern portion of the 1000 block E. Washington Avenue. These findings reflect committee work and input on the proposal versions that were presented to the committee on or before November 13, 2018.

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1. Purpose:

The report is provided to the TLNA Council as they prepare to consider the Council's position on this 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 here:

<http://www.tenneylapham.org/development.html>

2. Background:

In 2014 Stone House and Frank Productions proposed an indoor concert venue and affordable housing development on this block, the site of the defunct Madison Dairy. That proposal did not move forward was withdrawn primarily due to pushback from the neighborhood and city concerning the potential impacts of the concert venue, associated traffic, and noise on the nearby neighborhood, particularly Lapham School, adjacent homes, and multi-flats. In 2015, Stone House proposed a new project for the N. Brearly side of the full-block site, which was approved and completed in 2017 and early 2018. That project is known as The Lyric and The Breese.

Stone House put forward the current proposal in June 2018. It applies to the entire undeveloped portion of the full-block site closest to N. Ingersoll St., between E. Washington and E. Mifflin. This site constitutes just less than one-half of the entire block.

3. Steering Committee Membership:

The TLNA Steering Committee has considered its members to be any neighbor or interested party 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, so agreed not to further limit membership.

These Tenney-Lapham neighbors and interested parties attended at least one of the Committee meetings: Patrick Heck (TLNA Development Committee Chair), Patty Prime (TLNA President), Richard Linster (TLNA Membership Liaison), Pat Kelly, Brandy Larson, Sue Marquenski, Julie Nischik, Jeff Reinke, Karen Banaszak, John Belknap, Paul O’Leary, Andrea Rieck, Shannon Sparks, and Curt Brink. Committee members who were unable to attend all meetings were able to stay informed via the TLNA development website and email.

As is often the case, those who attended most steering committee meetings were nearby neighbors. For this proposal, neighbors from Curtis Court, N. Ingersoll, and nearby blocks of E. Mifflin were well represented. Additionally, the number of committee members was small relative to typical TLNA steering committees.

Stone House representatives who attended at least one meeting were principles Helen Bradbury and Rich Arneson, as well as Paul Raisleger from Epsstein Uhen (project architect). Allen Ebert (Children’s Theater of Madison) and Mike Ross (Madison Youth Choirs) also attended at least one meeting.

Tim Parks represented the Planning Division of the Department of Planning and Community and Economic Development. He attended the June 20, 2018, neighborhood meeting, as did Kasie Setterlund from Stone House Development. District 2 Alder Ledell Zellers also attended a meeting.

Many more neighbors also attended the initial neighborhood meeting on June 20, 2018, but did not attend steering committee meetings. Their opinions also informed the findings in this report. Note that other neighbors were kept informed of the committee’s work and were also solicited for input via TLNA’s listserv, website and Facebook pages.

The Steering Committee formed after the June 20, 2018, neighborhood meeting called by Alder Zellers. As is typical, attendees of the neighborhood meeting were given the opportunity to join the soon-to-form TLNA Steering Committee and other neighbors were invited via the TLNA listserv and Facebook pages. Alder Zellers sent postcard invitations for the neighborhood meeting to Tenney-Lapham (T-L) residences and businesses nearest to the proposal site.

4. Steering 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 often not voted on a committee position, but have instead issued summary findings such as these to the full TLNA Council.

The Committee met on July 17, Sept. 6, and Nov. 13. Depending on the desires and actions of the TLNA Council, as well as the input of the City and the Stone House team, the Committee is prepared to hold additional meetings and provide additional feedback if the developer moves further along in the city process, although at this time this is not expected.

5. TLNA Council Process:

Prior to TLNA Council Members forming a stance on the proposal, the Steering Committee encourages a careful consideration of this report, its appendices, and website materials, but also recommends that they contact the Committee with any questions. The Steering Committee can be contacted via its Chair, Patrick Heck, and if a Council Member so desires, she can be included

in any subsequent email dialogues with committee members. Additionally, the Stone House team is expected to present at the Dec. 13, 2018, TLNA monthly meeting where additional questions can be posed and input can be obtained from the development team.

6. Summary Findings:

The Steering Committee appreciates the developer's willingness to meet several times with the neighborhood and the Steering Committee to listen to concerns. The Stone House team provided information, building renderings, shadow studies, and perspectives in a timely manner when the Committee made a request. They presented two distinct versions of their proposal as it evolved and were in some cases willing to slightly vary massing when responding to neighborhood feedback.

Initial Neighborhood Meeting

The Stone House team's initial proposal concepts were presented at the June 20, 2018 neighborhood meeting. This proposal version was anchored by an 11-story office tower on E. Washington Avenue and single row of apartments along E. Mifflin with a 355-stall parking garage between. Discussions focused on Stone House's need for an ordinance change that would allow them to build the office tower using typical floor-to-floor heights for office/commercial tenants. Feedback from attendees included concern about traffic, particularly at rush hour when workers would need to come and go using primarily N. Ingersoll. This potential increase in traffic could negatively impact the Lapham School area and nearby streets, particularly as workers came and went to the north and east side of Madison. Additional input praised the proposal for bringing jobs to the neighborhood that would potentially allow workers to live nearby, but included concerns that little bona fide green space was included and that the trees and green space at Ingersoll and Washington would be removed. The large number of parking stalls in the parking garage, particularly when combined with the size of the adjacent Lyric parking garage, was criticized by some as regressive. Shadowing of homes and multi-flats on N. Ingersoll across from the proposal site were mentioned as a concern.

Initial Steering Committee Meeting

At the first Steering Committee meeting on July 17, 2018, the development team showed a revised proposal and revised renderings. The office tower component on E. Washington remained effectively the same, as did the parking garage, but the E. Mifflin side of the site was slated for an arts center instead of a row of apartments. Stone House revealed that they were working with three non-profit performing arts groups for youth that were pursuing a major donor to help underwrite the arts center. The arts center would conform to Urban Design District 8 guidelines, but they still expected to ask for a change to UDD-8 guidelines to accommodate the office tower. Feedback from the steering committee was generally positive concerning the arts center that would include office, classroom, rehearsal, and performance spaces. The arts groups involved remained anonymous until their donor support was solidified. Most committee members remained concerned about the office tower workers negatively impacting traffic on N. Ingersoll towards E. Johnson and creating backups on Ingersoll waiting to enter E. Washington. Several committee members again expressed their concern for the lack of real green space and the loss of trees. The office tower's shadowing impacts on N. Ingersoll homes were noted as potentially negative and some concerns about the number of parking stalls were noted as regressive, particularly give that The Lyric parking garage on the same block is similar in size.

Second Steering Committee Meeting

At the second Steering Committee meeting on September 6, 2018, the development team showed another iteration and revised renderings. The youth arts center proposed across from Lapham School remained, but the office tower was changed to a mixed-use building. The ground floor of the tower would be commercial/retail with 2 floors of office space above, 7 stories of apartments, all topped by a common area 11th floor. Stone House proposed 119 1- and 2-bedroom apartments with the potential for 20% of them to be income-capped at 80% County Median Income, depending on their financing including a WHEDA loan program. The parking garage was reduced from 355 stalls to 285. This building would be very similar in usage and size to The Lyric, but a bit smaller in width since the site is a bit smaller. The need for a change to the UDD-8 ordinance related to height was no longer needed since the 7 floors of apartments did not require larger floor-to-floor heights. Shadowing impacts were lessened due to the tower's lower proposed height. The youth arts center component remained and was further fleshed out. Representatives from Madison Youth Choirs and the Children's Theater of Madison, the now two proposed main tenants, discussed their needs and programming. The center would attract other performing arts youth groups and would broaden the reach of the two main groups to include east and north side youth, which they are lacking now.

Committee members were enthusiastic about the youth performing arts center, its mission, its potential to work with Lapham School, and the likely influx of activity. Despite the lower height of the tower component, some concerns remained about the overall massing of the block being too large and the lack of bona fide green space for the buildings' occupants and for the aesthetic needs of the neighborhood and city. Most committee members were pleased that the traffic impacts on the nearby streets would be lessened since apartment buildings tend to promote less of a rush hour effect, but some felt that the number of parking stalls that would be on the entire block was still too many.

Third Steering Committee Meeting

On November 13, 2018, the proposal remained mostly similar, but the youth arts center component matured, as did the exterior design of the office tower, and the exterior of the parking structure. The number of apartments increased from 119 to 128 and the number of parking space from 285 to 295. The apartments were proposed to be studios, 1-bedroom, and 2-bedroom units, rather than just 1- and 2- bedroom units. A need for a UDD-8 ordinance change was identified due to a portion of the 4th floor of the arts center not having a required setback on E. Mifflin and the arts center's need to maximize interior spaces for a 300-capacity performance auditorium and other needs. Committee members were mostly unconcerned about the requested 4th floor setback ordinance being changed along Ingersoll, primarily because the proposed design included only about a third of the Ingersoll façade without the required 15' setback. It was noted that Alder Zellers, who was unable to attend the meeting, would need to agree and sponsor an ordinance change if this were to move forward. Committee members also appreciated the Ingersoll façade of the building being setback 7' rather than the required 5' which helped to minimize the impact of the 4th floor section that would be flush with the lower floors.

The committee also discussed and mostly approved of Stone House's request to approve a new curb cut and delivery truck/garbage truck exit onto the E. Mifflin bike boulevard from their mid-block alley. While the city and neighborhood generally do not allow new exits or entrances onto the bike boulevard, Stone House and the arts center needs were deemed reasonable; they require garbage trucks to exit onto Mifflin 3 times per week and perhaps a box truck (not an 18-wheeler) for the arts center once or twice per week. Some sort of control system was requested by the committee, e.g., an arm that lowers/rises, a retractable curb system, or the something similar that

prevents any other cars or trucks from using the exit. This should decrease potential safety concerns for bicyclists and for the children who live at The Breese and go to Lapham School.

Stone House indicated that it was now unlikely that they would pursue a WHEDA loan for a portion of their financing package, hence it was unlikely that there would be income caps on any apartment tenants, i.e., all apartments would be market rate. This disappointed a strong majority of the committee. On the flip side, Stone House also indicated that they were unlikely to pursue TIF funding for the parking structure, which pleased those committee members and neighbors who opposed using public funding for a private parking structure. Like at the previous committee meeting and despite overall approval of the youth arts center design and programming, concerns remained about the massing of the entire proposal being too large and the lack of bona fide green space for the buildings' occupants and for the aesthetic needs of the neighborhood and city. Given the recent flooding in Madison and on the isthmus, some committee members expressed additional concern about the lack of permeable green space on the proposal site.

Committee members agreed to issue a steering committee report to TLNA Council in time for the Council to consider the proposal at their Dec. 13 monthly meeting. Patrick Heck agreed to draft a report and to send it to all committee members who had attended at least one meeting for corrections and input. Stone House indicated that they were submitting their proposal to the city the following day to initiate the city's formal review process.

Summary of Committee Opinions

The committee and non-committee neighbors who expressed opinions **overwhelmingly supported the youth arts center design and the missions of its core organizations.**

The **mixed-use tower received mixed reviews. Most were not opposed to the lower 3-stories of commercial and office space**, finding that this amount of office space provided needed employment opportunities and could encourage employees of the office tenants to live nearby rather than drive cars into/out of the neighborhood. Some committee members expressed support for the 7 floors of apartments, but **most were neutral or in opposition to the addition of another tower and large parking structure** that would effectively cover the entire block.

Most committee members were pleased by the conversion of the tower from all office to a mixture of residential and office.

Several committee members who live nearby expressed strong opposition to the proposal's **lack of green space and trees**, as well as what they view as the uninteresting and **cookie-cutter aesthetics** of the proposed tower and most new buildings along E. Washington.

A **majority** remained concerned about the city **not requiring, nor the developer offering, additional storm water retention and diversion** features for this proposal and future proposals given recent flooding events.

Most committee members remained concerned about traffic flow into and out of the garage on N. Ingersoll. They prefer that TLNA Council or the steering committee evaluate any traffic study that will be required by the city for the proposal to move forward. **Any proposed methods for reducing traffic on the blocks of Ingersoll towards Lapham School and E. Johnson should be evaluated** by the neighborhood or the steering committee via email.

Several committee members and nearby neighbors remained concerned about the potential **loss of street parking spaces** on N. Ingersoll if the City requires a third southbound lane at the corner of N. Ingersoll and E. Washington.

A strong majority of the committee was very disappointed in the developer's indication that **no affordable housing component** was likely to be included. The committee realizes that the City cannot require an affordable housing component, but nevertheless, the developer should be encouraged by TLNA Council to do so.

The plan for murals and interactive seating areas and sculptures along Ingersoll and Mifflin, were strongly supported and the committee **encourages creative and substantial landscaping on these and all sides of the site.**

The committee **generally supports the Conditional Use** that will need to be granted for the **mixed use component** of the proposal since the site is zoned Traditional Employment (TE) and will contain a residential component.

The committee **generally supports allowing a curb cut and limited-use exit** from the mid-block alley to the **E. Mifflin bike boulevard** that will have a barrier or retractable curb to prevent usage other than for trash pickup and small truck deliveries to the arts center.

The **UDD-8 ordinance change** sought by Stone House to allow a 4th floor area to have no 15' setback requirement was **generally supported** by the committee.

The committee found that the proposal otherwise **generally follows the T-L Neighborhood Plan, Capitol Gateway Corridor Plan, the city's Comprehensive Plan, and the UDD-8 guidelines.** While the proposed land usage is not in alignment with the Neighborhood's recommendation of employment on the E. Washington portion of the block with Medium Density Residential on the Mifflin portion of the block, the city and the neighborhood have not strictly followed these recommendations in UDD-8 as the area has developed. Since the city's zoning category of Traditional Employment (TE) does allow for the proposed components, albeit with conditional uses likely on both portions of the block, **there was little opposition expressed to the usages.**

7. Additional Concerns and Suggested Conditions:

Should the development proposal move forward, several additional concerns and conditions that were either explicitly mentioned in committee process or are common in TLNA's evaluation of similar development proposals are listed below. We encourage Plan Commission to include these in any Conditional Use Permits whenever possible and/or for City staff to evaluate their applicability to reviews and permitting:

- Per initial discussions, the developer should pursue a WHEDA loan in order to offer 20% of the apartment tower units for those earning not more than 80% of County Median Income.
- The developer should use solar panels as a power source for common area utilities in both buildings, as well as the parking structure.
- Due to the flooding crisis on the isthmus, additional green features, e.g., storm water

retention systems, rain barrels, and green roofs should be used whenever possible so that the site is as close to zero-runoff as possible.

- Gardening opportunities and green space for tenants should be maximized on the rooftop of the parking structure, any green areas at grade, and on any patios and decks.
- The developer should be required to deposit \$15,000 with the city to fund traffic calming features on adjacent neighborhood streets and nearby Lapham school.
- The interactive sculpture areas along E. Mifflin with seating and landscaping should be required as they break up the building façade and provide spaces for arts center students and neighbors to relax and interact.
- The murals along the N. Ingersoll façade of the parking structure are seen as an important part of making that side of the proposal less oppressive to neighbors – the murals should be required.
- Retain all street trees and any yard trees, if possible. Canopy-sized trees should be used for the street terrace if replaced since any utility undergrounding will allow the planting of larger tree species. If possible, the development should incorporate into the corner plaza design any of the canopy trees that currently exist at N. Ingersoll and E. Washington. That plaza should also maximize permeable surfaces to provide a water sink and to reference the green space that currently exists at that corner.
- Indoor and outdoor bicycle parking should greatly exceed City requirements.
- The developer should install electric car charging stations in a parking level.
- An insignificant portion of the parking level should be available for public parking when there are larger events at nearby Breese Stevens field.
- The developer should underground all utility wiring.
- Assure that all garbage and delivery truck traffic does not negatively impact Lapham School and the tenants at The Breese. Mid-block traffic flow onto E. Mifflin should be exit-only and controlled by a retractable curb or barrier and usage should be limited to no more than 5 trucks per week.
- HVAC systems for the new apartment buildings should create minimal noise and exterior venting/input for the apartments should be flush mounted. Usage of wall packs should not be allowed, but if used should not face any neighboring buildings on any side.
- Any noise and fumes from rooftop HVAC systems and parking exhaust systems should not impact nearby homes, rental units, or Lapham School.
- 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.
- If a ground floor retail or food/beverage tenant should have an outdoor space, it should

close by 10:00pm at the latest. The committee realizes that this condition is likely not to be addressed until the tenant files for any city permits, but we want to assure this concern be addressed at that time.

8. Appendices:

Appendix A: Excerpts from Neighborhood and City Plans

The most pertinent excerpts from the T-L Neighborhood Plan and Capitol Gateway Corridor Plan are below. Key phrases/terms are **highlighted in red**. Some excerpts from the Plans support the proposed development, while others do not, particularly along E. Mifflin.

Tenney-Lapham Neighborhood Plan

Goal 6: Plan for redevelopment of the 1000 block of East Washington Avenue if it becomes available...

Action Steps/Projects (for Goal 6)

1. Adopt **Employment (E) and Medium Density Residential 2 (MDR2) for this block** identified as Area E on Map 5. Adopt an ordinance to amend the Comprehensive Plan accordingly including changing the **south half of the 1000 block of East Mifflin Street to MDR2**.

Design Standards (for Goal 6) ...At present, this area is not scheduled for redevelopment, **but it may receive TIF funding if included in the Capitol Gateway Corridor TID #36**.

... Note especially the focus on **family residential use in the MDR 2 area** given the proximity to Lapham School. Row houses with individual street-level access would be an acceptable, family-friendly design. \

In order to avoid drastic changes of scale between buildings on the same block, East Washington Avenue building heights should vary with a maximum internal building height of **8-stories and a maximum facade of 5 stories along the 1000 block of East Washington Avenue**. Developers may gain a **2-story building height bonus** in exchange for certain amenities to be determined as part of the forthcoming Urban Design District 8 ... The maximum facade height along **East Mifflin Street is 3-stories** and the maximum internal building height is determined by measuring 30-degrees from the top of the facade and stepping back to the mid-block...

Business uses along East Washington Avenue should be consistent with the Employment designation. Desired businesses could include business incubators, design firms, software, advertising, research or other specialized employers. **If TIF funding occurs, it should be used to create affordable commercial space for new small-business entrepreneurs**. Retail, including "Big Box" scale retail, is not acceptable for this area.

From Map 5 Land Use Recommendations:

MDR2 Medium Density Residential 2 - 26 to 40 units per acre. Acceptable housing types are generally the same as LDR, but with no fixed maximum on the number of units in row houses or apartments...

E Employment - Non-residential. No fixed limit on size but should be compatible with scale of surrounding uses. **Recommended predominantly as office, research and specialized employment areas.** Does not include retail and consumer services.

Committee notes:

(1) The potential for using TID #36 for funding the proposal seems unwarranted given that the Plan indicates that it should be used to create affordable commercial space for new small-business entrepreneurs. TID dollars being used for a parking structure that in part could service such businesses in the proposal is debatable since the structure would be also used for residential and arts center parking.

(2) The proposed non-residential use along E. Mifflin is generally judged as non-problematic since the arts center is fully supported by the committee. The tower is partially residential, which is not what the Plan calls for, but there is a substantial commercial/office component of the tower. The entire site is currently zoned Traditional Employment, which allows these uses (both permitted and conditional), so the tower zoning category does allow a residential component (see below)

Capitol Gateway Corridor Plan

The description of Future Land Use Categories in the Capitol Gateway Corridor Plan for the E. Washington and E. Mifflin sides of the site are Employment and Medium Density Residential, respectively (these are similar to the T-L Neighborhood Plan recommendations). Those land use categories from the Plan are:

Employment: Employment districts (as distinct from Commercial districts) are recommended as **predominately office, research and specialized employment areas** and generally do not include retail and consumer service uses serving the wider community. Limited retail and service establishments primarily serving employees and users of the district are encouraged. Although primarily used to identify relatively large, multi-establishment employment districts, such as the University of Wisconsin Research Park, the designation may also be applied to an individual property, such as a hospital, for example.

Medium-Density Residential: Medium-Density Residential Districts are locations recommended primarily for **relatively dense multi-family housing types, such as larger apartment buildings and apartment complexes...**"

Density Considerations for Housing

From the Tenney-Lapham Neighborhood Plan for the E. Mifflin side of the site:

MDR2 suggests **average density of 41 to 60 units per acre.**

From the 2018 Comprehensive Plan for the E. Mifflin side of the site:

MDR suggests **20 to 90 units per acre.**

The proposal is about **60 dwelling units/acre** but the E. Mifflin side of site will not having housing. The housing is instead on the E. Washington side of the site. The housing density on the

site roughly conforms to the plans, but TLNA appreciates that density should typically not be the primary consideration when evaluating a proposal.

Appendix B: Excerpts from City Zoning Code

Current Zoning

- Current zoning for the site is Traditional Employment (TE), an Employment District zoning category (*MGO-TE Zoning, Sec. 28.084*) and no change to this is expected.

From *MGO-TE Zoning, Sec. 28.084*:

Statement of Purpose.

The TE District is established to encourage a **broad range of employment activities**, taking advantage of the varied transportation options and proximity to urban activities and cultural amenities found in many Traditional Employment locations. **Residential uses are of secondary importance.** The district is also intended to:

- (a) **Encourage businesses with the potential to provide significant numbers of living-wage jobs that contribute to a sustainable economy and a strong tax base.**
- (b) Support the continued use or adaptive re-use of traditional industrial buildings for a variety of purposes.
- (c) **Facilitate preservation, development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.**

Generally, and as mentioned above in the TLNA Neighborhood Plan discussion, the proposed land uses for the site are a mixture of conforming and non-conforming, but the Steering Committee did not find the non-conforming portion of the proposal on E. Mifflin to be an issue if it moves forward.

Permitted and Conditional Uses

Some Conditional Uses will need to be granted by Plan Commission, including several related to having residential units in a TE district and having more than 4 dwelling units in a mixed-use building. Additional Conditional Uses may be required, depending on which types of retail, commercial, and office tenants are secured by the developer for the tower component.

A Conditional Use could be required for the arts center, but that will depend on how the city the city classifies that portion of the development

See Table 28F-1 in MGO Chapter 28 for a complete list of permitted and conditional uses within a TE district.

The proposal seems to **meet all other dimensional requirements in the TE zoning code.**

Parking

The entire development is expected to have about **786,000 square feet**, so it is **subject to minimum parking requirements** (see Table 28I-2 below) because it does qualify for an exception, i.e., it must have parking.

MGO 28.141(3) *Parking and Loading Standards*, Table 28I-2. Districts with No Minimum Automobile Parking Requirements; Exceptions.

District/Area	Parking Requirement	Exceptions
Traditional Employment (TE)	No minimum	1. Buildings, uses, or additions exceeding twenty-five thousand (25,000) square feet floor area.

Currently, Stone House is proposing about 295 indoor parking stalls in their parking structure and they state that 257 are required.

According to Table 28I-3 requirements and calculations, the parking structure is allowed to exceed the required parking, per:

28.141 PARKING AND LOADING STANDARDS.

(6) Parking in Excess of the Maximum Number of Spaces.

(a) Underground or structured parking may exceed the maximum requirement in Table 28I-3.

Bicycle Parking

The long-term indoor bicycle parking requirement according to city zoning code is 149 spaces while Stone House will provide 150, exceeding that requirement by 1 space.

The short-term outdoor bicycle parking requirement according to city zoning code is 57 spaces while Stone House will provide 66, exceeding that requirement by 9 spaces.