

Summary Report
TLNA Steering Committee Meeting for
Renaissance Property Group Proposal for the 700 Block South of E. Johnson and 200
Block East of N. Blount St.

June 5, 2016

This document presents the findings of the Tenney-Lapham Neighborhood Association's (TLNA) Steering Committee on the proposal by Renaissance Property Group (RPG) for 707-713 E. Johnson Street and the 200 East block of N. Blount Street.

Contents:

- 1. Purpose**
- 2. Committee Membership**
- 3. Committee Process**
- 4. TLNA Process**
- 5. Summary Findings**
- 6. Supplementary Materials and Findings**

1. Purpose:

The report is provided to the TLNA Council as they prepare to consider the Council's position on the 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 at the link below:

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

2. Committee Membership:

The Committee has considered its members to be any neighbor 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 records, so agreed not to further limit membership.

These Tenney-Lapham neighbors attended at least one of the Committee meetings: Patrick Heck (TLNA Development Committee Chair), Patty Prime (TLNA President), Richard Linster, Mark Bennett, Bob Klebba (all three TLNA Council members), Karla Handel, Josh Day, David Waugh, Don Jones, Matt Coogan, Beth Kubly, and Joe Lusson.

Additionally, District 2 Alder Ledell Zellers attended most meetings. Heather Stouder initially represented the Planning Division of the Department of Planning and Community and Economic Development and acted as a Department contact for the proposal with Jay Wendt taking over further into the process.

RPG Development team members who attended were Michael Matty (RPG), as well as Chris Oddo and Ian Nielsen-Fox (Insite Consulting Architects).

Note that other neighbors have provided valuable input via email and other channels; their opinions are contained here, in meeting notes and a separate Comments/Emails link on the website.

The Committee formed as a result of a May 20, 2015, neighborhood meeting called by Alder Zellers. At that meeting, RPG presented their preliminary proposal concept and accepted neighborhood input. As is typical, attendees were given the opportunity to join the soon-to-form TLNA Steering Committee and other neighbors were invited via the TLNA listserv in all meeting announcements. Postcard invitations for the neighborhood meeting were sent by Alder Zellers to Tenney-Lapham (T-L) residences and businesses nearest to the proposal site.

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

The Committee met on March 31, May 5, and May 25, 2016. Email communication supplemented the distribution of information. Note that more than 10 months passed after the May 20, 2015, neighborhood meeting and when the TLNA Steering Committee meeting convened for its first meeting. The reasons for this delay are discussed in “Summary Findings”.

Depending on the desires and actions of the TLNA Council, as well as the input of the City and RPG, the Committee is prepared to hold additional meetings and provide additional feedback to the developer. These meetings can serve several purposes, including, but not limited to, supplements to or clarification of this report, follow-up design issues, consideration of a modified proposal or consideration of any new information from the developer.

4. TLNA Council Process:

Prior to TLNA Council Members forming a stance on the proposal, the Steering Committee encourages a careful consideration of this report and also recommends that they contact the Committee with any questions. The Steering Committee can be contacted via its Chair, Patrick Heck (pwheck@gmail.com), and if a Council Member so desires, she can be included in any issue-specific email dialogues with Committee Members.

5. Summary Findings:

The Steering Committee appreciates the developer’s willingness to meet with the neighborhood and the Steering Committee to listen to our concerns. RPG provided information, building renderings, shadowing studies and perspectives when the Committee made a request. They presented several different versions of their proposal as it evolved and were willing to significantly alter its composition when responding to neighborhood and City Planning staff feedback.

Initial Proposal - RPG’s initial proposal, variations of which were presented at the May 2015 neighborhood meeting and the March 2016 Steering Committee meeting, was generally not supported by neighbors and committee members. There were exceptions, but most felt that

the initial proposal's inclusion of a new 3- or 4-story apartment building atop a partially underground parking level on N. Blount St. was out of scale for the block and did not respect the Tenney-Lapham Neighborhood Plan for this area. The proposed demolition and/or moving of a total of 6 multi-unit rental homes were particularly problematic. The separate micro-unit apartment building proposed for E. Johnson Street received less negative feedback, particularly after RPG agreed to include commercial space on its first floor.

City Planning sent two letters to RPG (28 May 2015 and 5 May 2016) indicating that their support for the proposal was contingent on Alder Zellers and TLNA Council endorsing both a required zoning change necessary to construct the proposed buildings (one on E. Johnson St. and one on N. Blount St.), and variations from the Neighborhood Plan. On 14 April 2016, TLNA Council unanimously passed a statement indicating ongoing support for the goals of the Neighborhood Plan as they relate to this and similar blocks. Those letters and related communications are available on the TLNA Development webpages.

Current Proposal - On 5 May and 25 May 2016, RPG presented a significantly revised proposal that found much more support among Steering Committee members. The Committee generally supports the most recent iteration of the proposal presented by RPG, although some committee members continue to have reservations about some aspects of the development.

The elimination of the proposed N. Blount St. apartment building and the retention of the existing houses on the 200 East block of N. Blount St. are strongly supported by committee members. Additionally, the developer's commitment to move and renovate one of the two multi-unit rental houses on E. Johnson to a gap in the 200 block of N. Blount St. is seen as a valuable option for saving a home that contributes to the surrounding block's character. Although RPG will consider any offers to move the rental house at 707/709 E. Johnson to another site, it is very likely that it will be demolished, although most materials from that demolition will be reused or recycled.

The retention of 5 multi-flat rental houses is seen as a positive not just for the character of this block, but also for the entire neighborhood. The retention of these units should support a diverse population, including those whose income does not allow them to rent in newer market-rate apartment buildings. The Committee recommends that RPG's commitment to fully renovate the interior and exterior of the house moved to the gap on Blount Street should be included in the Conditional Use Permit should Plan Commission approve the proposal. The Committee also recommends that RPG be strongly encouraged to (a) repair the porches and front exteriors of the remaining 200 East block of N. Blount St. houses and bring them to code prior to the micro-unit building opening and (b) renovate the exteriors of those houses to be of the same quality as the renovated moved house.

The Committee recognizes that the Neighborhood Plan does indicate the potential for thoughtful development along the 700, 800 and 900 blocks of E. Johnson St. Unlike on N. Blount St., the Plan supports evolving usage on these blocks with recommended uses that are residential, commercial and/or mixed-use, while simultaneously retaining the current overall character. Wholesale teardown of multi-unit or single unit homes is not called for, but the Plan does suggest that these unique blocks in the E. Johnson business district can see infill and some redevelopment that can include ground-floor commercial spaces. For this reason the

Committee is supportive of the proposed first floor commercial space. RPG has indicated that they have a prospective local restaurant tenant, but that is not finalized.

In the Neighborhood Plan the suggested housing density for the entire block bound by E. Johnson, E. Dayton, N. Blount and N. Livingston Streets is 16-25 units per acre (Medium Density Residential) with the exception of the Caribou/Laundromat parcel which is in the 16-40 units per acre Neighborhood Mixed Use land use category. A Committee majority supports allowing an exception to the Plan's density recommendations for the two parcels along E. Johnson in order to accommodate the proposed mixed-use building. The proposed building would have 21 apartments on 0.229 acres, resulting in 92 units per acre. This is significantly above the Plan's maximum density recommendation, but the Committee accepts that the density standards were devised with traditional apartments, condos and homes in mind rather than the micro-units of the proposed building. The existing two E. Johnson rental homes contain a total of 4 apartments with approximately 13 beds, whereas the micro-unit building would have 21 apartments with a total of 21 beds, so the increase in the number of beds is less than double the current situation, minimizing some of the impact of a nearly 3.7-times increase above the maximum recommended density.

For several years City Planning has recommended that the density for development proposals should typically not be the determining factor when assessing compliance with plans and zoning ordinances. In fact, the aforementioned density recommendations do not appear in City zoning ordinances at all; they are only in the Neighborhood Plan. Density is not seen as a particularly objective predictor of a project's appropriateness, whereas building mass and form are, hence the willingness of most Committee members not to focus solely on the Neighborhood Plan's density recommendations.

That said, all committee members are concerned about the potential impact of endorsing the teardown of even one home and the approval of this large density variance in an area where many contiguous multi-unit rental houses are owned by developers or will be soon purchased by developers. These developers could subsequently propose new buildings that will require teardown of these older multi-flats, particularly given the real estate market on Madison's isthmus. While some of these homes are in need of repair due to improper and/or deferred maintenance, the Committee agrees with the Neighborhood Plan's goals of retaining these homes whenever possible due to their contribution to T-L's character and their affordability. Should RPG's proposal move forward, it is crucial that TLNA Council include language in any communication to the City stating that a zoning change and any Neighborhood Plan exceptions are not precedent setting and are not meant as a signal that larger or even similar developments are desirable. TLNA Council and the City should recognize that the Neighborhood Plan's recommendations continue to apply to the remainder of this and surrounding blocks.

The Committee generally supports that the two E. Johnson St. parcels will require a zoning category change from Traditional Residential-Varied 2 (TR-V2) to Neighborhood Mixed Use (NMX) that is not explicitly prescribed in the Neighborhood Plan. The NMX zoning category matches the zoning of the contiguous Caribou/Laundromat parcel and would allow the proposed mixed-use building, hence the change is judged to be reasonable rather than contributing to an erratic zoning pattern. In addition, there is mention in the Neighborhood

Plan of a later expansion of the E. Johnson business district to include the 700 block. Given that this proposed commercial space would be an extension of an existing commercial node at E. Johnson and N. Blount, the Committee agrees that these parcels are well placed for a first floor commercial entity with residential above.

To the best of the Committee's knowledge, the proposed building will meet all requirements and standards for NMX zoning, however, the Committee does support and recommend one exception. RPG should be allowed to place the proposed building 6 feet further away from the Caribou/Laundromat, hence 6 feet closer to the parcel's eastern lot line, than zoning allows. This will violate a requirement that the proposed building's third floor be set back sufficiently so as to not exceed a 45° angle drawn from the eastern lot line to top of the building. This requirement applies when a new NMX building is constructed adjacent to residential districts to allow sufficient transition to existing residential structures. The Committee agrees that the presence of a driveway on the adjacent property lessens those concerns and that the extra 6 feet between the Caribou and the proposed building will allow for commercial employees and perhaps garbage service and deliveries to access the commercial space, thereby minimizing any disturbing of residents in the adjacent existing residence. If instead access to the commercial space side entrance were on the eastern side, residents of the adjacent homes would likely be subject to more noise. This exception to the 45°-angle requirement is allowed as a Condition Use by the Plan Commission.

The proposed building would have a total height of about 35 ft and 8 inches, comprised of a partially underground basement with bike storage and mechanicals, one 14' commercial floor and two 10' floors of micro-units. This is not appreciably taller than the existing 30' and 32' heights of the 707/709/ and 711/713 E. Johnson houses, respectively, although the mass of the building will make it seem much larger, particularly when viewed from across Johnson or from points west on Johnson. Most of the Committee and neighbors feel that it is not an inappropriate structure for the location.

Some committee members and neighbors are concerned about the lack of off-street parking for the proposed micro-unit building and the increased pressure this could put on street parking for current homeowners, renters, and nearby businesses. RPG currently has 14 parking stalls behind the E. Johnson and N. Blount properties, as well as 12 other parking stalls at other properties within 2 blocks. Those 26 stalls will be available to lease for tenants in the 21 micro-units and the 11 apartments in the N. Blount houses that will be mostly 3-bedroom units. The 14 stalls behind the Blount St. houses will be first offered to the micro-unit and N. Blount St. tenants and similarly, the additional 12 parking stalls will first be offered to tenants at other nearby RPG properties, so it is expected that some car owners in the micro-unit building will need to use street parking or park elsewhere. As with other new developments, tenants of the micro-unit building should not be allowed to purchase City of Madison stickers that allow more than 2-hour daytime street parking for residents in the RP3 parking districts with 2-hour signage.

In order to encourage micro-unit tenants to not choose car ownership, the Committee recommends that there be at least 2 bike stalls and/or bike hanging facilities for each micro-unit to make the development as bike friendly as possible. Given the location's proximity to the E. Mifflin bike boulevard and the bus lines on Johnson/Gorham and E. Washington, it is

anticipated that most residents will not own cars. The Committee recognizes that the lack of parking might be a test case that could help the neighborhood and the City refine their parking requirements for new developments, depending on how the parking situation evolves after tenants are established in the neighborhood. Given that a T-L ad hoc committee is currently exploring the possibility of extending RP3 areas and hours, it could take several years to fully assess the impact of having no dedicated off-street parking for residential tenants and perhaps waiving the minimum parking requirements for any accompanying commercial space. Note that should a restaurant and/or bar occupy the proposed first floor commercial space, that business would have a separate permitting process, hence is not included in RPG's Conditional Use and other approval processes. Other possible uses of the commercial space could potentially need their own Conditional Use Permits, depending on allowed usages in zoning code.

RPG has not expressed a willingness to include a bona fide affordable housing component in the micro-unit building, however RPG has stated that rents for the micro-units are expected to be lower than for comparably sized units in other new developments. Some examples are below, but note that parking costs and amenities for each vary.

Development	Square Footage for studio/micro-unit (square feet)	Starting monthly rent
The Hub	273	\$1205
The Constellation	417	\$1045 (market rate)
The Ovation	359 or 393	\$1100

Given the proposed units' size (285 square feet) and assuming that the quality of the units and their fixtures will be comparable to the developments above, the Committee recommends that as many of the micro-units as possible be leased for monthly rents appropriate for a single person making no more than 80% of Dane County Median Income or \$46,100. Using 2015 statistics, rent plus utilities should be no more than 30% of \$46,100 or \$1152 per month. A suggestion such as this cannot be legally required, but in light of TLNA's 6 Feb. 2016 endorsement of an overall affordable housing goal of 20% in new developments, it can be strongly encouraged.

Neighbors and Committee members expressed a variety of opinions about the architectural renderings proposed by RPG. The initial micro-unit renderings were much improved after interactions with the Committee, which is appreciated. The primary remaining concerns are related to the exterior of the building and choices for exterior cladding. All supported the red brick exterior and large hinged windows proposed for the first floor commercial space. Some were supportive of a monochromatic paneling system for portions of the upper floors while others appreciated a more unique multi-colored paneling system. Renderings for both options are on the development website in Developer's Drawings for the 25 May 2016 meeting. The Committee anticipates that the exterior could evolve further and will gladly provide additional input. Additional suggestions included adding art work or some iconic feature to the upper floors on the side facing outbound Johnson St. traffic, thereby adding a landmark to the neighborhood and ameliorating the box-like mass of the building as seen from that angle.

The Committee strongly supports RPG's intent to station a Zipcar in the parking stall that is located on the Caribou side of 213/215 N. Blount. While this arrangement with Zipcar has not been confirmed, the Committee feels that its inclusion is crucial to encouraging tenants in both the micro-units and N. Blount St. multi-unit rentals to forgo car ownership. A Zipcar would also be available to other nearby neighbors, providing an important benefit to the neighborhood.

Further analyses of the proposal with respect to city code, ordinances and planning documents is provided in *Supplementary Findings* below. If the TLNA Council eventually endorses a proposal for this site or if it should otherwise move forward, we have also included a list of additional conditions that the Committee feels should be considered

All Committee Members hope that RPG House will continue their dialogue with the neighborhood and will continue to address the several concerns expressed in this report even though the Committee is generally supportive.

6. Supplementary Materials and Findings:

Further explanations and materials can be found at the TLNA Development Committee website.

- Current zoning for 707 through 713 E. Johnson (2 multi-unit rental buildings) is Traditional Residential-Varied 2, a Residential District zoning category (*MGO TR-V2 Zoning, Sec. 28.048*).
- Requested zoning for 707 through 713 E. Johnson is Neighborhood Mixed Use, a Mixed Use and Commercial District zoning category (*MGO NMX Zoning, Sec. 28.064*).

The most pertinent sections of and excerpts from zoning ordinances and planning documents:

MGO Table 28D-2 lists all permitted and conditional uses for the proposed first floor commercial space. Restaurants, taverns, restaurant/taverns, and brewpubs are permitted, as are many other uses.

MGO 28.064 Neighborhood Mixed Use District, describes the zoning category and all applicable requirements for NMX districts, including

(1) Statement of Purpose.

The NMX District is established to encourage and sustain the viability of commercial nodes that serve the shopping needs of residents in adjacent neighborhoods. The district is also intended to:

- (a) Encourage pedestrian, bicycle and transit use as a means of accessing these commercial areas.
- (b) Encourage diversification of uses, including residential, commercial, and civic uses, in order to enhance the vitality and appeal of these areas.
- (c) Facilitate preservation, development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

(3) Dimensional Requirements.

Maximum height. 3 stories/40'

(d) Rear or Side Yard Height Transition to Residential Districts. Where the NMX District abuts a residential district at the rear or side lot line, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. 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. Transitions exceeding this height and/or ratio limitation require conditional use approval.

Related to parking requirements for the residential and commercial components of the proposal:

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

District/Area	Parking Requirement	Exceptions
Neighborhood Mixed-Use (NMX)	No minimum	2. Restaurants, restaurant-taverns, taverns, restaurant nightclub, nightclub, and brewpubs if located within three hundred (300) feet of another restaurant, restaurant-tavern, tavern, or brewpub.

MGO 28.151 Subchapter 28J: Supplemental Regulations.

Dwelling Units in Mixed-Use Buildings.

- (b) In the NMX District, more than eight (8) dwelling units requires conditional use approval
- (e) In the LMX, NMX, TSS and CC-T Districts, for building with a street-facing width greater than forty (40) feet, at least seventy-five percent (75%) of the ground-floor frontage facing the primary street, including all frontage at a street corner, shall be non-residential. Less non-residential frontage requires conditional use approval.

Excerpts from the *Tenney-Lapham Neighborhood Plan*

About usage:

- “The neighborhood seeks to increase the business use of these blocks while keeping the residential flavor. Adaptive re-use of residential structures for specialty businesses is encouraged for this district. Replacement of existing structures with structures specifically designed for neighborhood mixed-use is also encouraged.”
- “700 Block of East Johnson Street
The west end of this block has businesses today. While near-term goals for growth of the E. Johnson Business District focus on the 800 and 900 blocks, the long-range vision anticipates expansion of the NMU district to the 700 block as well.”

- “Initial growth of business uses should be focused on the 800 block and the west end of the 900 block. The 700 block should remain more residential in the near term.”

About density:

- TLNP recommends MDR1: 16-25 units/acre
- TLNP also suggests an expansion of NMU: 16 to 40 units/acre, but not seeking to eliminate all ground floor residential

About character:

Land Use Goals, Action Steps/Projects, Design Standards, Implementers

Goal 1: Restore and preserve the residential character of the Tenney-Lapham neighborhood.

Discussion: “... 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 within this desirable and convenient area of Madison...”

Goal 1: Design Standards (for the area mentioned above)

“... 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...”

Teardown Replacements

- Ratio of footprint-to-lot-size of replacement residential structures should be comparable to the surrounding neighborhood.
- Front porches are encouraged.
- Consistency of scale, spacing, and general architectural vernacular of the surrounding neighborhood is required.

- In addition to the points raised in the Summary Findings above, other points to be taken into consideration should a proposal move forward at this site:

- Retain any street trees and back yard trees as possible.
- The Committee should have input on landscaping plans.
- Street parking by residents should be discouraged. Residents of the proposed apartments should not have access to residential parking permits should the program be in existence or established on nearby streets.
- Indoor and outdoor bicycle parking should exceed City requirements.
- Commercial entities that locate in the project should appeal to neighbors, be locally owned and enhance the neighborhood.

- HVAC systems for the apartments should create minimal noise and exterior venting/output for the apartments should be flush mounted. Additionally, any noise from rooftop HVAC systems and exhaust systems should not impact neighboring residential structures.
- The Steering Committee and/or TLNA Council should be made aware of the plan for residential and commercial garbage, as well as commercial deliveries.
- Additional green features should be included whenever possible in the micro-unit building if feasible.
- 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.