

**Notes from 20 March 2017 TLNA Steering Committee Meeting for
Houden Development Proposal for 700 block (southside) E. Johnson
Festival Foods Conference Room**

TLNA Development Committee Chair Patrick Heck brought the meeting to order and attendees introduced themselves:

City of Madison:

Jessica Vaughn (Planning Division of the Department of Planning and Community and Economic)

Development Team:

Melissa Huggins and Katie Fadelli (Urban Assets), Tom Miller (Kahler Slater, architect), Pat McCabe (Palisades Property)

TLNA Council Members:

Patrick Heck, Mark Bennett, Bob Klebba, Patty Prime, Richard Linster, Keith Wessel, Elena Duncan

Neighbors and Interested Parties:

Evelyn Atkinson, Liz Avenius, Tim Meisenheimer, Brian Schildroth, Joe Davis, Greg Stroupe, Chris Oddo, Lori Wessel, Ross Kelley, Beth Kubly, David Waugh, Matt Coogan, Jonathan Lang, Doug Peterson, Joe Lusson, Bob Hemauer, Pat Kelly, Kait Burrier, Miles Walser

TLNA Development Committee Chair Patrick Heck welcomed all and introductions were made. Patrick then showed slides (see TLNA development webpages for the Houden Development: <http://www.tenneylapham.org/development.html>). Those slides included two maps of recent residential or mixed-use development projects in Tenney-Lapham, color-coded for whether they were already completed, under construction, in the approval process, or had been withdrawn. He noted that there have been 1068 new apartments with 1381 bedrooms constructed or proposed in the neighborhood in 2012 through now. He added that it was clear that the neighborhood was supportive of development, particularly infill projects that were also supported by the Neighborhood Plan and the East Washington Capitol East Gateway Corridor Plan.

Patrick then showed an excerpt from the letter that TLNA Council sent to City entities in April of 2016. That letter stressed the Council's commitment to the portions of the Neighborhood Plan that detail the desire to keep the existing scale and character of the neighborhood along Johnson, Gorham, Dayton and Mifflin. He added that TLNA Council chose retaining and promoting neighborhood character as their guiding theme for 2016. Patrick then showed slides that reiterated the main points from the 16 March 2017 Steering Committee meeting when the development team was not present (see the letter from the Steering Committee on webpages: http://www.tenneylapham.org/web-data/development/700ejohnson/Summary_SC_031617.pdf)

Patrick reiterated the role of the Steering Committee as advisors to TLNA Council, who will eventually vote on some position related to the proposal. The results of the straw poll from the 16 March meeting were repeated and discussed. Evelyn Atkinson and others discussed the need to explore compromises with the developer, including the point that the developers have already invested funds in the site and the proposal. Bob Klebba and Richard Linster both disagreed with the point about the developer's expenditures. They both do not believe it a developer's return on investment (ROI) is the neighborhood's concern.

Matt Coogan said that he visited Stonehouse's website for their project in the 1000 block of E. Washington. The site said that there will be 138 affordable housing units. Patrick said that he included only about 50 affordable housing units in his affordable housing discussion at the 16 March Steering Committee meeting – he forgot that there are some affordable units in the tower portion of that development. Matt said that he suspected that some people in the 16 March straw poll could have voted differently if they knew about there being more affordable units. Patrick said he did not think there were that many in the tower and that any that are there are income-capped at 80% CMI. Patrick said he would work to get the correct numbers to the committee after the meeting.

Beth Kubly said that like with the RPG proposal on E. Johnson and N. Blount, she is concerned about encroachment of development into the existing neighborhood.

Tim Meisenheimer brought up Norris Court and how most say they like it. It is probably similar in density and scale to this proposal, so he questions why Norris Court is acceptable and even admired while this proposal is opposed on density and scale grounds. David Waugh said that he likes Norris Court a lot, but imagine if there were only Norris Courts all along Johnson – he thinks it would be very unattractive and others wouldn't like it either. This proposal has the potential to be repeated and make this part of the neighborhood like a lot of Norris Courts.

Matt Coogan said that we have to recognize that the Neighborhood Plan is subject to interpretation – the development team has a point when they say that commercial area expansion is called for in the Plan.

Patty Prime referred to the letter that Patrick showed early. The letter said that TLNA Council recognized that the neighborhood, in particular this part of the neighborhood, is under development pressure. Landlords let older rental houses get rundown and then propose them for demolition. In the last few years, 5 different homes have come before TLNA Council proposed for demolition. This is bigger than the cumulative demolitions - the pressure is real.

Pat Kelly asked Keith Wessel about what he and Richard Linster learned earlier that day when they toured some of the houses proposed to be torn down. Keith reported that the first two houses (furthest west) appear to have some foundation/structural issues. There is a slope to one corner on the western-most house that is particularly bad. He thought there were some nice features in the ones he saw, but the foundations were a challenge in the first two.

Architect Tom Miller then showed slides reviewing the proposal and recent changes. Some of those changes are responses to the letter from the Committee about the 16 March meeting, but they did not receive that letter until 19 March, so there wasn't much time to develop responses.

Included was a reiteration/description of their proposed affordable component (see slides): 10% of the units as affordable and 10% of them as family units (3 or 4 bedrooms). Some 2-bedroom units would have dens, which could also be considered as family units. He reviewed other slides that have been shown at previous Steering Committee meetings or at the 9 March TLNA Council meeting, including slide 9 from tonight's slides that shows example exterior colors and materials. He reiterated their desire for a zoning change to NMX and a Neighborhood Plan amendment of the land use category from medium-density residential to neighborhood mixed use.

Tom said that he wanted to reiterate that the 4 proposed commercial spaces were not meant for any sort of big box stores. The largest space is about 1600 square feet and the smallest is less

than 1000 square feet – these are meant for retail shops that are similar to what is on E. Johnson now. Bob Klebba encouraged Tom to show what is new since the last Steering Committee meetings. Tom said that some of this was new and was a result of their meeting with city departments (DAT meeting) and from the 16 March steering committee meeting letter. He added that they were discussing with the City about having a wider sidewalk and some easements so that things like restaurant tables can be better accommodated.

Melissa Huggins said that an arborist had conducted a tree survey. Almost no trees in the rear were savable – most were trash trees, not good specimens, or were likely to die soon anyway. They have data about what types of trees can be planted and be expected to thrive, including in the front where the wires will be underground. The lack of wires will allow for a better tree selection. Lori Wessel asked about the trees in the renderings - Tom said that the trees in the renderings did not reflect reality; they are just for illustration of what it might look like in the future.

Patrick asked about the issue brought up by the City Zoning Administrator – are the 4th floor living areas in the gables a 4th floor or a mezzanine (the Neighborhood Plan calls for a maximum of 3 floors)? Jessica Vaughn from City Planning said that the issue is not yet resolved and that it is a combination of zoning code and building code interpretations that make a determination. For example, zoning code says that a mezzanine must be limited to no more than one-third of the area it serves. Tom Miller said that their intent has always been to make the 3 new buildings with 3 floors. They believe they can modify the design (if necessary) to make the living areas under the gables qualify as mezzanines rather than 4th floors.

Pat Kelly asked about the difference in height between the house that will be saved (the 3rd one in from Livingston) and the adjacent new building. She thinks the new building looks a lot taller. Tom said that rooftop peak to rooftop peak the height difference is 11 to 12 feet. Tom added that 751 E. Johnson (corner of N. Livingston and Johnson) is just about the same roof peak height as the new buildings, or maybe just slightly lower.

Joe Lusson added that all the existing buildings on the proposal site other than 751 E. Johnson are 2.5-stories and the proposed new buildings are pushed up to 4.5 stories because of the parking plinth. Tom Miller said that the existing are actually more like 3.5 stories because of their gables and their elevated 1st floors. He added that there is no occupied space in the gable of 751. Jessica Vaughn reiterated that as it stands, the city's latest interpretation is that the new buildings are 4 stories. The zoning administrator looks at many things, including the fact that there are no knee walls in the proposed 4th floor, which is one thing that prevents it from being classified as a mezzanine. Jessica added that they are waiting for more interpretation and that their analysis could change if the floor plans change. Joe added that even if the 4th floor is a mezzanine, he thinks the 3 new buildings are too massive. They also just repeat the same gabled façade 4 (twice) or 2 times and there is no variation. Ross Kelley said that even though many people point to City Row's façade as a good design, he thinks it is too traditional and the facades too flat. He thinks Kahler Slater has broken up this proposal into three buildings, which helps – he likes the proposed façade better than City Row. Patrick Heck noted that City Row was also three buildings with breaks between, similar to this proposal. Liz Avenius said that the development team has said they will alter the design to make the new buildings qualify as a 3 stories, so she is not overly concerned about this issue.

Richard Linster said that the proposed moving of one house to the gap between the other two houses to be saved visually jams the group of three saved houses. He also doesn't like what we

traded for by moving that house in between the other two – the proposed three new buildings are more massive. Tom Miller agrees; he won't convince anyone that the new buildings aren't bigger, but they have responded to previous neighborhood input by stepping the buildings back further, adding vitality to the streetscape (putting new retail at grade), etc.

It was said that what is being presented is an elaboration of what was previously proposed. What the Steering Committee said last week is that we reject the proposal you presented, yet we are not seeing any changes. Tom reiterated that they haven't had time to react, but they do have some changes to discuss later in his slides.

Joe Lusson said that including the RPG proposal for next to the Caribou, there will be too many teardowns proposed (out of a total 13 E. Johnson homes, 9 are proposed for demolition and 2 are proposed to be moved). Keith Wessel added that more than 90% of the committee (in the straw poll from the last meeting) did not want all this many teardowns – what is their response? Tom said that their intention was to get comments and they want to come up with a solution. It was asked if the committee should give the team a month to process the input. Tom answered they would first like to get through this meeting, get all the input, and then determine how to respond.

Melissa Huggins added that Ledell had several items she wanted to see/discuss too. Tom said that he wanted to show some of those responses, including addressing how to get a better understanding about the condition of the houses proposed for demolition. They want to also get a better understanding of what went on at the meeting they couldn't come to (16 March); they want to respond and figure out next steps.

Tom reiterated that the commercial spaces would not be filled by big box stores – they want it to be art galleries and similar types of stores. It was asked why they can't add retail to the existing houses as it has been done on E. Johnson and Willy St. Tom responded that there are significant accessibility and code-related issues to doing that (ADA standards) since the 1st floors of the homes aren't at grade. Pat Kelly asked about the total amount of commercial in the proposal – Tom said almost 6,000 square feet. Pat said that a lot of new developments in the neighborhood have had trouble finding people who want to run a business in their buildings – is it realistic to rent out these spaces? Tom answered that they already have some interest from potential retail renters, but he's not an expert in commercial real estate. He added that Chris Houden has seen the interest in these spaces. Tom said that these spaces are too small for grocers or convenience stores – it would likely be niche retailers.

Mark Bennett asked about the rendering from an overhead perspective that showed connectors between the three saved buildings. Tom said that if there is no retail in any one of those buildings, then there are different setback requirements in the NMZ zoning that they are pursuing. It would push it to more suburban zoning requirements. So, their goal is connect the three houses so that having commercial on the first floor of 751 will allow them to consider them one building and satisfy the commercial space requirement. Jessica Vaughn said that she thought they might be confused about the zoning requirements. She thinks it is more likely a fire safety issue and/or a building code issue related to building separation requirements. It was said that the connectors are an artifice. Joe Lusson said that the connectors could look goofy – would the connectors be functional? How tall would they be – 1 story? Tom said it was TBD and it was even possible that they could be partially below grade. Jessica explained that there are specific open space requirements for buildings with all residential units, so if there is no commercial space then that would increase the open space requirements.

Joe Lusson expressed concern for the residential homes on N. Livingston. He added that we are screwing up the block and putting a wall down E. Johnson that doesn't relate well to the rest of the block and nearby blocks. Pat Kelly reiterated her early point that she thinks renting the commercial space will be a challenge – she thinks down E. Johnson there are a lot of vacant spots. Patty Prime said that she thinks there is currently only one vacancy and that commercial vacancies on E. Johnson have been decreasing recently. David Waugh said that there had been at least 3 business failures in the last 2 years – Drunk Lunch, Iona and Juneberry. Patty said that Iona's closure was due to illness, but David said he heard it closed due to lack of business. Patty said that regardless, she thinks there has been less turnover.

Tim Meisenheimer said that added mass in the rear of the new buildings was better than dirt parking lots, so he thinks complaints about the new buildings' massing are disingenuous. People complain about the dirt lots too. He lived in neighborhood apartments like the ones on this block and the backyards are unusable as open space due to parking, mud, gravel, and abandoned appliances that he saw sit for 15 years.

Elena Duncan asked about the open spaces in the proposal – are they for all the tenants? Tom answered that the proposed common open space is above what is required and there is also additional open space that is private, but does count in the calculation that the City does to see if it meets requirements.

It was asked if the City has a role in determining which houses are torn down. Jessica Vaughn answered that the Plan Commission makes the decision on proposed demolitions, but the Landmarks Commission also reviews them. City staff generally has only the information that is given to them by other staff and whatever is given to them by the developer and neighborhood, plus the overarching neighborhood and city plans. Demolitions would be reviewed for consistency with the plans. Many times the information that staff gets is just that a house is in bad condition, but they could use photos and could do a walkthrough. Jonathan Lang asked if all the houses are beyond rehab or just some. Someone said that there are notes from the City about a building's history when available, so those could be researched. All code violations/issues are also available. It was asked what it means if there are no serious code violations for the houses – nothing seems to indicate that they are absolutely beyond rehabbing. Pat McCabe said that four different groups had toured the houses proposed for demolition because they were interested in moving some of the houses. None of those groups came back, so he thinks that means the houses are not good rehab candidates. It was mentioned that the expense of moving them can also prevent interest, not just their condition. Richard Linster said that he saw 2 homes today and is very displeased with the City for letting these houses get into such a state of disrepair that they now can possibly be torn down. City code needs to be enforced.

Tom Miller showed slides of the interior of the current homes and discussion ensued about those homes. He also showed slides about the affordability component and more slides about the Neighborhood Plan and rezoning.

Bob Klebba said that the developer bought these houses knowing their condition and his intention was to tear them down. So, anything we hear from the development team will show us that they have to be demolished. Along with these 11 houses, they own 2 on the other side of E. Johnson. That and their slide that shows a desire to change zoning on both sides of the street show what could happen. He agrees with what Beth Kubly said before – that she is worried about development creep further into the neighborhood – it shows a scary situation. Tom Miller said that this is only one interpretation. Note 1 in the land use map (Map 5 from the T-L

Neighborhood Plan) indicates the desire for both sides of E. Johnson to be NMU, but they will limit their proposed changes to zoning and the Neighborhood Plan to one side of E. Johnson. Melissa added that they have talked about this with staff and that Bob makes a good point. Ledell has asked if it makes sense to do the entire block at once while making a change. Staff says that plan amendments should be very specific to avoid the creep that Bob mentions, so that is what they will pursue. Bob brought up the fact that this potential change to zoning and the plan would establish precedence for future development proposals.

Some current tenants from the houses on the proposal site said that (1) tenants should not be able to be evicted if they report problems with their buildings, and (2) that they did not move from New York City to pay New York City rental prices here (the rents in the neighborhood's new buildings are too high).

Mark Bennett said that he likes the street level of the proposal – they activate the street – but doesn't like the design of the apartment floors. The same design is repeated 8 times. He wishes there was more variation in the facades.

David Waugh said that he thinks the existing housing on this block is affordable and that allowing demolition by neglect is a bad statement for the neighborhood to make. He added that the neighborhood recently went through a development process with RPG. Their architect (Chris Oddo) did great 3-d walkthrough renderings at street level showing existing context – this helped that steering committee understand scale and he hasn't seen the same thing for this proposal. Also, the first neighborhood meeting on this proposal was all about affordability – he's not convinced about that in their proposal. He thinks the proposal is not in keeping with the neighborhood plan.

Joe Lusson said that homes that many think are bad are able to be rehabbed – he's done it. Knob and tube wiring, asbestos, etc., are not insurmountable. He and his wife are not wealthy, but they were able to do it. The foundations are the trickiest, but also not insurmountable. With the means that Houden has, they can do it. Tom said that the 3 they have proposed to save make the most sense – they need the least amount of work. Chris Houden wanted to save 751 all long – he's owned that one for 10 years. It has preserved woodwork, not paneled over walls, etc. 745 is similar and 727 that will be moved has some good features.

Brian Schildroth said that he often walks by these homes. He thinks at least 2-3 foundations of the 8 houses that could be demolished look okay.

Tom showed a few more slides, including one that indicated they would redo the design to increase the family housing portion of the development from 10% to 15%.

In the interest of time, Patrick drew the meeting to a close. The Houden team agreed to have a tour of the homes. Patrick said he will email all the volunteers about coordinating a meeting. Pat McCabe agreed to facilitate the tour. It was suggested that volunteers should have some sort of expertise related to rehabbing or evaluation older homes.

The next meeting date will be chosen after the tour.