

**TLNA Steering Committee SUPPLEMENTARY Report  
For the Houden Proposal for the 700 Block of E. Johnson (south side)  
6 September 2017**

This supplementary report presents additional findings of the Tenney-Lapham Neighborhood Association's (TLNA) Steering Committee on the proposal by Chris Houden for 717 through 751 E. Johnson Street (south side only). These findings reflect committee work and input on the proposal version that was presented on August 8, 2017.

The Summary Report issued on June 29, 2017, presented committee evaluation of the proposal versions that were presented on or before June 1, 2017. That report detailed the committee's membership/process and contains appendices with applicable excerpts from zoning code, the Tenney-Lapham Neighborhood Plan, and other supporting documents.

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**1. Purpose:**

The supplementary report is provided to the TLNA Council as they prepare to consider the Council's position on the proposal as presented to the Committee on August 8, 2017. Prior to any Council Member forming a stance on the proposal the Committee encourages Council Members to carefully read this report, the August 8 meeting notes, and all other materials on the TLNA Development Committee's website for the project which can be found here:

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

**2. Committee Membership:**

The Committee membership did not change from the June 29, 2017 Summary Report.

**3. Committee Process:**

The Committee process did not change from the June 29, 2017 Summary Report.

Depending on the desires and actions of the TLNA Council, as well as the input of the City and the Houden team, the Committee is prepared to hold additional meetings and provide additional feedback to the developer, although the Committee does not anticipate meeting again unless substantial revisions are to come forth.

**4. TLNA Council Process:**

The Steering Committee encourages a careful consideration of this report and the previously issued Summary Report, including its appendices, and website materials, but also recommends that any TLNA Council members contact the Committee with any questions. The Steering Committee can be contacted via its Chair, Patrick Heck ([pwheck@gmail.com](mailto:pwheck@gmail.com)), and if a Council Member so desires, she can be included in any pertinent email dialogues with Committee members. Additionally, the Houden team is expected to present at a future TLNA Council meeting where additional questions can be posed and input can be obtained from the development team.

## 5. Supplementary Findings:

The Steering Committee appreciates the developer's willingness to meet again with the Steering Committee to address some of the concerns expressed in earlier proceedings and in the June 29, 2017 Summary Report.

### *August 8, 2017 Committee Meeting Summary*

The Houden team presented a revised proposal to the Committee (see slides and notes on TLNA Development website). Changes included reducing the number of new buildings from 3 to 2; the smallest of the 3 buildings was eliminated. That building's removal allowed 2 more homes to be saved onsite for a total of 4 homes/buildings saved in their current locations. The developer continues to propose moving 1 home to a different parcel onsite with 3 others moved to other locations in the neighborhood. All saved and moved homes would be updated and made code-compliant. 3 homes are currently proposed for demolition. Other proposal changes included increased green/open space and setbacks in the rear of the 2 newly saved homes and reducing density to 55 dwelling units per acre from the last proposal version with 63 du/acre.

The proposed connectors between the 3 saved/moved homes closest to N. Livingston are no longer being considered and the earlier proposed conversion of the 1<sup>st</sup> floor apartment at 751 N. Livingston to commercial space has been abandoned. The reduction of the front-most sections of the new buildings' fourth-floor/mezzanine levels remained, but with a new front façade angular roof design. Much of the mezzanine level remains shielded from view if looking from the south-side sidewalk of E. Johnson. The commitment to self-fund 10% of the units "affordable" at 80% Dane County Median Income (CMI) remains. There would be 7 of the 68 units kept affordable in the older buildings, down from 8 in the last proposal version that had 80 total units. The 7 units are still 10% of the total number of units.

All committee members felt that the removal of the smallest new building and saving of 2 more homes was a positive feature of the revised proposal. All agreed that the expanded open space behind the two newly saved houses provided better opportunities for residents to enjoy green space; reduced the mass and scale of the development, and provided an improved buffer between the development and the existing homes on N. Livingston. Some concerns, however, remain about the impact of the parking entrance/exit on N. Livingston and any garage exhaust system, both of which could negatively impact three adjacent owner-occupied homes. The increase in traffic on N. Livingston, particularly given Veritas Village's parking ramp on the same street, was also cited as a concern. Despite the general agreement that the proposal was improved, no committee members seemed to have shifted their overall support or opposition to the proposal. The majority still felt more changes were needed in order for them to support the proposal while the minority felt that the changes were improvements to what was already a good proposal.

As in the Summary Report, opinions seemed to remain in these camps:

- (A) A strong **majority** of committee members is **opposed** to the new buildings' mass/scale/footprints and the number of teardowns, as well as the lack of a larger and wider-ranging affordable housing component.

The remaining **minority** is split between two groups:

- (B) Those **strongly in support** of the proposal as is, with some minor concerns, and

(C) Those **somewhat in support** of the proposal but have some major concerns remaining.

Note that those committee members who were unable to attend the August 8 meeting were given the opportunity to comment via email on the new proposal version. None chose to comment, hence the relative size of the opinion camps mentioned above is based on the earlier committee Summary Report that was in turn based to a substantial degree on the June 29 committee survey results. Some of those who did not comment could have changed opinion camps, but that is unknown.

Several members of the majority indicated that the saving of 2 additional homes in the August 8 proposal version ameliorated their concerns about the number of teardowns. However, majority concerns about mass/scale/footprint of the 2 larger new buildings remained, as did concerns about the lack of a larger and/or wider-ranging affordable housing component. The affordability component was seen as insufficient given TLNA Council's overall goal of having 20% of new units affordable with a larger range of CMI caps (neighborhood goal is 10% at 30 to 50% CMI and 10% at 50 to 80% CMI). A minority was content with the developer's commitment to self-fund 7 affordable units at 80% CMI. That minority felt that saving/moving of 8 homes, resulting in 13 saved apartments onsite and 8 apartments moved offsite in Tenney-Lapham, provided sufficient affordability due to the likelihood that their rents would be near the 80% CMI levels. Some of the majority felt that the demolition of 3 homes with 11 affordable apartments remained a problem. Citing equity concerns, a large number of members of all opinions camps expressed a desire for the affordable housing units to be spread throughout the new and old housing components rather than placed only in the older saved houses as proposed.

The majority concerns about the footprint and scale of the 2 new buildings continued to relate to their not fitting in with nearby buildings and the already-built portion of the neighborhood; their masses looming over the rear neighbors, and their long front facades that many felt should be further broken up. A minority felt that the front façade did provide sufficient differentiation between the apartment stacks and entrances and that the increases in residential density and commercial spaces would be a benefit to the neighborhood. A strong majority felt that the new angled roofs that were proposed for the front-most sections were an improvement from the flat roofs of the previous version.

Most agreed that the design of the rear façades of the new buildings needed improvement. The architect agreed that the design aspects of the rear would be improved, although the scale and footprints are unlikely to change. Again, many committee members felt that the rear mass and scale was too large compared to other neighborhood buildings, especially the homes behind this block on E. Dayton, while others felt that the rear mass and scale were appropriate, yet did need the aforementioned design attention.

The elimination of the proposed retail space in the first floor of 751 E. Johnson was not opposed, although most of those who generally support the proposal expressed concern that retail/commercial spaces should be maximized in order to increase the density and clustering of retail/commercial opportunities in the E. Johnson commercial core, thereby increasing both walkability and street activity. Some committee members, especially amongst those generally opposed to the proposal, continued to express skepticism about the viability of new commercial spaces and the likelihood that if successful only bars, restaurants or coffee shops would be tenants rather than true retail shops.

A majority of the committee remains opposed to changing the zoning for this block to the requested Neighborhood Mixed Use (NMX) from Traditional Residential Varied 2 (TR-V2). Similarly, the majority opposes changing the Neighborhood Plan land use category for the block to Neighborhood Mixed Use (NMU) from Medium Density Residential 1 (MDR1). A majority also opposes the accompanying change in the City's Comprehensive Plan land use from Medium Density Residential. This majority also feels that the Neighborhood Plan's references to affordability and maintaining the historic character of the built portions of the neighborhood outweigh other references to possible expansion of the E. Johnson commercial district. That opposition also feels that in recent years Tenney-Lapham has supported many zoning and Neighborhood Plan exceptions and changes in order to support infill developments and that this request for encroachment into the already-built portions of the neighborhood would set an unwanted precedent. This majority recognizes that the City Row project did involve teardowns of older houses and was supported by the neighborhood, but as an entirely affordable housing development, City Row held substantial benefits for Tenney-Lapham and Madison, thereby warranted neighborhood support. Additionally, the majority believes that neighborhood land values are being inflated by speculative teardown/replacement development proposals in the built-part of the neighborhood, which drives up housing costs and if teardowns proliferate, could negatively impact the character of the neighborhood.

The minority believes that the zoning and Neighborhood Plan changes are warranted for this proposal, particularly since the developer is asking for the changes to apply only to these parcels and not to the other side of E. Johnson where the Neighborhood Plan also mentions NMU as a future land use goal. The minority also feels that the 3 homes currently proposed for demolition are beyond their useful life and that the demolished and moved houses will be replaced with higher quality and higher density units that will provide support for new commercial/retail spaces, public transit opportunities, and increased street activation.

Regardless of support of opposition, the committee felt that any proposed changes to the Neighborhood Plan and any zoning changes should be carefully vetted by TLNA Council and city staff, preferably prior to TLNA Council voting on the proposed changes or the development proposal's merits. Any changes to the Plan should be carefully constructed and include language that limits any precedent setting possibilities.

Additionally, TLNA Council should explore and understand the future of these parcels should the proposal move forward. If they are all combined into a single parcel as proposed, the neighborhood needs to fully understand if any future teardowns or changes will be allowed and what processes will be followed. Many committee members expressed concern that the homes proposed for saving onsite should be protected from future demolition.

#### **6. Additional Concerns and Suggested Conditions:**

In addition to the items discussed above, committee members and neighbors also discussed a wide variety of concerns related to design, operations, and neighbor impact issues. Most of these were mentioned in the previously issued Summary Report and some are already under consideration by the developer, but given that the proposal may soon appear before to TLNA Council, they are repeated and updated below.

We encourage TLNA Council to ask Plan Commission to include these in a Conditional Use Permit whenever possible and/or for City staff to evaluate their applicability:

- The Committee strongly encourages the developer to station a Zipcar in the parking level.

We recognize that Zipcar has nearby locations, but with the increasing density in the neighborhood, we feel that more locations are warranted. The Committee believes that a Zipcar stall in the development is crucial to encouraging new tenants to forgo car ownership. The Zipcar should also be available to other neighbors, providing an important benefit to the neighborhood.

- The developer should install electric car charging stations in the parking level.
- Indoor and outdoor bicycle parking for both proposal components should greatly exceed City requirements.
- The developer should underground all utility wiring.
- Retain any street trees and any yard trees if possible. Canopy-sized trees should be used for the street terrace whenever allowed by the Fire Department, since utility undergrounding will allow the planting of larger tree species. Wherever possible, the development should include canopy trees in side and/or rear yard areas to provide shade and a visual buffer for neighbors.
- The committee should have input on landscaping plans.
- Additional green features, including solar panels, rain barrels to decrease runoff, etc., should be considered whenever possible in all of the buildings.
- Gardening opportunities and green space for tenants should be maximized on the top of the parking plinth, any green areas at grade, and on any patios and decks.
- Given the large decrease in useable soil/green areas and grade-level soil, assure proper drainage away from neighbors' backyards and side yards on all sides of the development.
- Any agreement, provision, or deed restriction that details the developer's self-funding of any affordable units should be fully vetted by TLNA Council and should TLNA Council hire an attorney to review proposed agreements, any legal fees incurred by TLNA Council will be paid by the developer.
- Residents of the proposed new apartment buildings should not have access to City residential parking permits should the program be in existence or established on nearby streets. The committee realizes that this is currently City policy for new developments, but wants to reiterate our concern. Current residents of any retained homes who have permits could be grandfathered into the parking permit program, but new residents should not be allowed to participate.
- Commercial entities that locate in the mixed-use building should appeal to neighbors, be locally owned and enhance the neighborhood. Office usage for the commercial spaces is undesirable and primary customer bases within the neighborhood are preferred so as to reduce parking pressures from commercial customers and employees.
- City Traffic Engineering and Planning staff should carefully consider the cumulative

increase in traffic on N. Livingston and other nearby streets that is created by this and all recent nearby developments before this proposal's parking ramp entrance/exit is sited.

- HVAC systems with exterior components should create minimal noise and be aesthetically unobtrusive for neighboring properties on all sides. Exterior venting/input for living and commercial units should be flush mounted if not on roofs. Usage of wall packs should be discouraged, but if used they should not face neighboring buildings on adjacent properties or across streets. Wall packs that are mounted on balconies should be mounted perpendicular to or towards the building's facade and face away from all neighboring properties.
- Any noise from rooftop HVAC systems and other exhaust systems should not impact neighboring residential structures.
- TLNA Council should be made aware of the plan for residential and commercial garbage, as well as commercial deliveries.
- 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 restaurant, tavern, bar or similar establishment is included, outdoor spaces should close by 10:00pm at the latest. The committee realizes that this condition will not be addressed until any potential business tenant files for city permits, but we want to assure this concern be addressed at that time.