

On the following pages is the Steering Committee Report on McGrath Property Group's proposal for the corner of N. Few and E. Washington. At a special meeting on February 10 of the TLNA Council, it is anticipated that there will be a discussion and decision to establish a level of support for the proposal. The TLNA Calendar of Events and TLNA listserv will note any changes to that schedule.

You are encouraged to carefully read the report and go to the TLNA development website and examine all drawings, meeting notes, neighbor comments, etc. If you would like any additional information or clarification, please email me at [pwheck@gmail.com](mailto:pwheck@gmail.com). I would also encourage you to begin/follow the dialogue on TLNA's listserv at <https://groups.yahoo.com/neo/groups/tlna/info> regarding this proposal.

- Patrick Heck, Development Chair

**Summary Report**  
**TLNA Steering Committee Meeting for**  
**McGrath Property Group Proposal for the 1200 N Block of E. Washington**  
January 26, 2015

This document presents the findings of the Tenney-Lapham Neighborhood Association's (TLNA) Steering Committee on the proposal by McGrath Property Group for 1200-1212 E. Washington Avenue and 9-13 N. Few Street.

NOTE: The TLNA Council is receiving this report for the first time as of the publication date above, hence has not accepted or considered the report, nor has it taken a position on the development proposal.

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**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.danenet.org/tlna/development.html>

**2. Committee Membership:**

The Committee has considered its members to be any neighbor who has come 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 have attended at least one of the Committee meetings:

Patrick Heck (TLNA Development Committee Chair), Patty Prime (TLNA President), Pat Kelly, Karla Handel, Nick Balazs, Rebecca Cuninghame, Richard Linster, Jeff Reinke, Karen Banaszak, Kathy Nissley, Zach Simmons, Adam Shesch, John Feith, David Waugh, Ryan McCormick, Simon Puleo, Evan Wedell and Christine Knorr.

Additionally, District 2 Alder Ledell Zellers has attended the meetings. Tim Parks, from the Planning Division of Department of Planning and Community and Economic Development has

acted as an advisor, but has not attended meetings.

Note that many other neighbors have provided valuable input via email and other channels; their opinions are contained here, in meeting notes and/or separate links on the webpage.

The Committee formed as a result of the Dec. 9 neighborhood meeting called by Alder Zellers. At that meeting, the McGrath Property Group (MPG) presented their preliminary concept for the proposal and accepted neighborhood input. As is typical, attendees were given the opportunity to join the soon-to-form Steering Committee and other neighbors were invited via the TLNA listserv in all meeting announcements. Note that postcard invitations for the neighborhood meeting were sent by Alder Zellers to 1352 Tenney-Lapham (T-L) residences and businesses nearest to the proposal site.

For this particular committee, it is noteworthy that 13 of 18 members live within a block of the proposed development.

### **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. Traditionally, TLNA Development Steering Committees have not chosen a committee position, but have instead issued summary findings such as these to the full TLNA Council.

The Committee has met twice – first on Jan. 5 and again on Jan. 15. The first meeting included the development team from MPG while the second did not. Email communication supplemented the communication process.

Depending on the desires and actions of the TLNA Council, as well as the input of the City and MPG, 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](mailto:pwheck@gmail.com)), and if a Council Member so desires, she can be included in issue-specific email dialogues with Committee Members.

### **5. Summary Findings:**

The Steering Committee supports many of the ideas presented by MPG proposal and desire to improve this blighted site. We appreciate the developer's willingness to meet with the Steering Committee and individually with neighbors on multiple occasions to listen to our concerns. MPG also readily provided information, building renderings, shadowing studies and

perspectives whenever the Committee made a request.

A large majority of the Committee favors MPG's saving and creatively renovating the front portion of the Quonset hut (Patriot Glass) on E. Washington. Several T-L residents contacted the Committee also expressing support for retaining the Quonset hut. Recognizing that future development is likely to occur on the same block and adjacent blocks, every committee member favors the visual break along E. Washington that the renovated hut could provide. To clarify – some are not enamored with the Quonset hut itself, but all are supportive of there being a variety of building styles and heights along the block, including smaller scale structures. The likelihood of development occurring on the city-owned parcel just to the east of the MPG site is significant, so proactively providing a visual break is highly desirable.

MPG presented two options to the neighborhood and Committee: one retains the front third of the Quonset hut and adds a 4-story building while the second removes the Quonset hut and adds a 3-story building. This report refers to the 3- and 4-story options as the 3.5- and 4.5-story options, respectively, because the partially aboveground parking level underneath the building adds at least 5' to the building's height.

The large majority of the Committee do not support either of the two options. Those Committee Members are not convinced that a development can't be presented that abides by current zoning code, the E. Washington Capitol Gateway Corridor Plan and the city-approved T-L Neighborhood Plan.

The primary objection to the 4.5-story option is that its height exceeds guiding laws and plans. In particular, the 4.5-story option would be 1.5 stories taller than the Urban Design District 8 (UDD-8), the T-L Neighborhood Plan and the Gateway Plan allow. The 3.5-story option would be 0.5 stories or about 6' above those same standards, but that option also results in removal of the Quonset hut and increases the building footprint by about one-third, thereby contradicting the Committee's desire to retain or provide visual breaks along E. Washington.

Both options consist of a new building of about 100,000 square feet. While recognizing that conditional use may be allowed for buildings of this size that meet the standards governing large retail developments in Sec 33.24(4)(f), the majority of the Committee objects to 100,000 square feet being substantially larger than the requirements in the applicable Commercial Corridor – Transitional (CC-T) zoning. Sec. 28.067 (4)(a) states "Buildings shall not exceed twenty-five thousand (25,000) square feet gross floor area for an individual establishment or forty thousand (40,000) square feet gross floor area for a multi-tenant building." Additionally, and perhaps most importantly, the T-L Neighborhood Plan says - "it is critical that new buildings respect the existing scale of the neighborhood."

Similar to the height and building volume objections, the large majority of the Committee is not supportive of the proposed density, 70-80 units on the one-acre site, particularly given the lower density of the nearby residential blocks. The proposed density exceeds the Land Use Recommendations in the T-L Neighborhood Plan for the 1200 block of E. Washington (Community Mixed-Used: average net density 41-60 units/acre.)

Ten of the eleven Committee Members that live within a block of the site and were present at the Jan. 15 meeting voiced their desires for the building to be shorter than 4.5 stories. All eleven wanted to either preserve the Quonset hut or have a smaller structure/building component in that spot to provide a visual break. A small minority of Committee Members are

willing to accept the 4.5-story option with the retention of the Quonset hut or similar visual break. Several neighbors, including another from within a block of the site, also contacted the Committee in support of that option.

The Committee recognizes that the CC-T zoning allows up to 5 stories in the 1200 block of E. Washington, Sec. 28.067(3), but believes that the height restrictions and other requirements in UDD-8, the Neighborhood Plan and Gateway Plan should not be modified nor an exception granted for this proposal. City ordinance Sec. 28.004(2) states “the regulations which are more restrictive or which impose higher standards or requirements shall prevail” and in this case that regulation is the 3-story maximum from the UDD-8 ordinance. A majority did not find the apartment building portion of the proposal to be unique enough or to supply sufficient benefits to the neighborhood to warrant changing or granting exceptions to code or plans.

There exists a range of opinions on the Committee concerning the apartment building’s design: some feel the loft/warehouse look is appropriate while others feel it is too blocky and uninspired. Some backyard neighbors feel the large windows will decrease their sense of privacy. The Committee would like to continue providing input on design and exterior choices should a project move forward on the site.

The Committee appreciates that most of the residents who live within a block of the site are long-term homeowners and renters who are invested in the neighborhood and Lapham School. The 1200 block is unique in the E. Washington corridor in that its north-facing half is made up entirely of single-family homes and a few small apartment buildings. Similarly, the north side of Curtis Court, also adjacent to the proposal site, is all small scale residential. These residents recognize and appreciate that their homes are next to potentially large commercial or residential developments, but they want development efforts to follow the T-L Neighborhood Plan and city policies that demand respect for the character and existing scale of the nearby neighborhoods.

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

All Committee Members hope that MPG will address these concerns and bring forward an improved proposal that will provide benefit to the nearby neighborhood and Tenney-Lapham.

## **6. Supplementary Materials and Findings:**

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

-- Pertinent sections of city code, ordinances and planning documents related to height/size/density:

- Maximum Building Height is 3 stories, from *T-L Neighborhood Plan* and *UDD-8 Block 6b requirements*. In UDD-8 Sec. 33.24.15(e)(3), “height is based on an average story height of 9-12’ (11-15’ for the ground floor).” For a 3-story building, that would equate to a maximum height of 15’ on the first floor plus 2 floors at 12’ for a total of 39’. The 4-

story proposal option would be 52-55' and the 3-story option would be about 45'. The Plan Commission and Common Council will be required to approve any change to UDD-8.

- "It is critical that new buildings respect the existing scale of the neighborhood" from *Plan for redevelopment of the 1100 and 1200 blocks of East Washington Avenue in the T-L Neighborhood Plan*. Buildings in neighborhood are mostly less than 2,000 square feet and 25' tall whereas the proposed new building is nearly 100,000 square feet and up to 55' tall.
  - " Buildings shall not exceed twenty-five thousand (25,000) square feet gross floor area for an individual establishment or forty thousand (40,000) square feet gross floor area for a multi-tenant building. Buildings exceeding this size may be allowed as conditional uses, meeting the standards governing large retail developments in Sec. 33.24(4)(f)," from *Madison CC-T Zoning, Sec. 28.067(4)(a)*. The proposal is for nearly 100,000 square feet.
  - "maintain a rhythm of visual breaks and openings to ensure winter solar access and prevent the effect of a solid wall along the south edge of the neighborhood." from *Plan for redevelopment of the 1100 and 1200 blocks of East Washington Avenue in the T-L Neighborhood Plan*. The proposal has a continuous 150' wide wall, up to 55' tall facing residential backyards. Shadow studies show that the building will block the morning sun in winter until past 10:00am for some E. Mifflin neighbors and early morning for some on N. Few and Curtis Court near the equinoxes and in the summer.
  - designated Community Mixed-Used: average net density 41-60 units/acre – *Land Use Recommendations in T-L Neighborhood Plan*. The proposal is for 70-80 units in one acre. We are concerned of the impact on the character of the surrounding neighborhood, traffic, and street parking that will be created by doubling the number of people living in the block.
- Pertinent sections of city code, ordinances and planning documents related to usage and character of surrounding neighborhood:
- "at least seventy-five percent (75%) of the ground-floor area shall be non-residential uses(s)", Sec. 28-151, Dwelling Units in Mixed-Use Buildings (f), from *Madison City Zoning CC-T*. The proposal and discussion indicates only about 5% of the first floor would be commercial space, although conditional uses are permitted.
  - "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", Sec. 28-151, Dwelling Units in Mixed-Use Buildings (e). The proposal and discussion indicates perhaps one-third of the E. Washington frontage would be commercial space, although conditional uses are permitted.
  - "Goal 2: Encourage the increase of owner-occupied housing and decrease the number of properties with absentee landlords and short-term rentals." From *T-L Neighborhood Plan*. The Committee encourages all developments to address this goal.

- from *Madison Zoning Code*, Sec. 28.151, "Buildings or Structures Exceeding Ten Thousand (10,000) Square Feet in Floor Area."
  - (a) "In any residential district, building floor area, bulk, height and massing may be limited as part of the conditional use approval in order to ensure compatibility with surrounding uses."
 

The above could be used by Plan Commission to assure that the adjacent neighborhood of single-family dwellings and small apartments is not negatively impacted.
  - (b) "In any residential district, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood."
 

The above should be used by to assure that the adjacent neighborhood is not negatively impacted."

-- Other points to be taken into consideration should a proposal move forward at this site:

- avoid damaging branches and roots of neighbors' trees during construction.
- Neighbors should have input on all landscaping and fencing plans for the sections of the site that share property lines with E. Mifflin. It is recommended that landscaping include winter features so that some screening functions regardless of season.
- assure proper drainage away from neighbors' backyards
- since the location is 1 block from both Lapham Elementary School and Tenney Nursery, attracting young families (not just single professionals) should be a focus. A high percentage of 2- and 3-bedroom units would be ideal.
- The impingement of headlights onto the properties across N. Few from the parking level driveway must be minimized and addressed to the satisfaction of those neighbors.
- If a restaurant, tavern, bar or similar establishment is included, it should close no later than 11:00pm with outdoor spaces closing by 10:00pm.
- Street parking on N. Few, Curtis Court and E. Mifflin by residents or business patrons should be discouraged. Residents of the proposed apartments should not have access to residential parking permits should that program be established on nearby streets. In addition, the applicant shall inform all tenants of this facility of the restriction in their apartment leases.
- Traffic calming or diversion tactics should be used to keep all additional traffic generated by tenants or patrons of the project off of Curtis Court.
- Additional car traffic generated by the building should be discouraged from turning onto the E. Mifflin bike boulevard. The City should be encouraged to allow the entrance/exit on E. Washington rather than N. Few.

- The developer should install an electric car charging station and consider a car-sharing spot.
- Indoor and outdoor bicycle parking should meet or exceed City requirements.
- Gardening and green space for tenants should be maximized on the ground level and/or on rooftops, thereby decreasing runoff and increasing energy efficiency.
- Commercial entities that locate in the project should appeal to neighbors and enhance the neighborhood.
- HVAC systems for the apartments and exhaust fans for the parking level should have minimal noise and should not impact the ability of neighbors to enjoy their backyards.
- There should be either an onsite manager or the owner should provide a direct phone line and email address for neighbors to use if there is a problem with tenants or the building.
- Due to the neighborhood's desire for visual breaks and variety, if the Patriot Glass Quonset hut is retained, UDD-8 should be modified to limit the height of that section of the block to the Quonset hut's height.
- If UDD-8 should be modified to permit a building taller than the current Block 6b maximum building height on this proposal site, the increased height limit should apply only to the percentage of Block 6b covered by the section of the new building which exceeds the height limit.