

**Notes from 10 May 2016 Steering Committee Meeting
on the 1000 block E. Washington Proposal
from Summit Credit Union and Stone House Development**

Attendees:

Patrick Heck, TLNA Development Chair

District 2 Alder Ledell Zellers

City Planning - Heather Stouder

Summit Credit Union - Jeremy Eppler

Stone House Development - Helen Bradbury

Neighbors and Interested Parties - Shaun Abshere, Chris Oddo, Karen Banaszak, Jeff Reinke, John Belknap, Mark Bennett

After introductions Jeremy Eppler from Summit verified that there were no changes to their proposal timeline (see presentation slides from 4/7/2016 neighborhood meeting). Chris Oddo asked when they expected to go to Urban Design Commission – Jeremy said that they would first need to submit formally to the City and since the design so far is just massing studies, a first UDC meeting date is unknown.

Heather Stouder from City Planning presented strategies for a possible zoning change to Urban Design District-8 standards that could allow Summit's proposed building height. Currently, the maximum number of stories varies in UDD-8, usually by block or half-block. On Summit's block, the maximum allowed is 10 stories. The maximum floor-to-floor heights are currently 15' on a first floor and 12' for upper floors. The upper floors' maximum floor-to-floor height was designed for typical residential buildings whereas typical commercial floor-to-floor heights are larger. Current code allows individual floors to exceed the floor-to-floor maxima as long as the total height does not exceed a building with a 15' first floor and 12' floors above.

Heather showed the results of a shadow study that City staff conducted. They used Summit's proposed floor-to-floor heights (18' on the first floor with an average of 14' on floors 2 through 10) to model buildings and study their shadow impacts. She noted that for smaller buildings, shadow impacts from residential vs. commercial floor-to-floor heights are minimal – the total height difference might be just a few feet. In blocks or half-blocks where code does allow for buildings as tall as 12 or 14 stories, then the impact is larger because each floor can be a little taller. Based on Summit's tower heights, city staff wants to show their own shadow studies in a sample of sites within UDD-8. They ignored sites where the FAA height limit of 159' is close to being reached with the current allowable total heights because buildings on those parcels can't go any higher. They also ignored sites where only residential use is planned because those will be subject to the lower residential floor-to-floor heights currently in the code; the challenge will be where employment/commercial buildings could be built. So, they honed in on a few sites that show several different impact types and have several types of adjacent neighbors.

Based on the criteria above, they chose 3 sites to do their shadow evaluation:

1. The Messner site (part of block 7 in UDD-8) that allows a relatively tall building with a maximum of 8 stories – they are interested in the possible shadow impacts of allowing a taller building on the homes on the north side of E. Mifflin. There is already a winter shadowing of the front yards and fronts of homes on the north side of E. Mifflin with the allowable heights. With the increased heights of a commercial building, that shadow extends deeper into that block – perhaps into the backyards of the homes on the north side of E. Mifflin.
2. Sparkle Auto Body (UDD-8 block 8), where the allowable number of stories is relatively low (4 stories). They found almost no shadow impact change across the Yahara River, which is to the northeast and where winter shadow impacts are usually accentuated by a taller structure.
3. A block across E. Washington in Aldermanic District 6 (UDD-8 block 14), just across from where Summit and Stone House are proposing building and where Stone House already has approval for their development. On this site, allowing taller floor-to-floor heights for a commercial structure did see increased shadowing in the winter, but those were all cast on the Stone House and Summit sites - nothing impacted lower density residential or anything else, hence staff considered those negligible. There would potentially be a longer shadow cast by a taller building that would cover more of Lapham School's green space in the winter, but because the new Stone House development will be in between Lapham and a building across E. Washington, that longer shadow is intercepted by the Stone House tower. Additionally, Stone House's tower will already be casting a shadow onto Lapham's green space in the winter.

Staff asked how a potential ordinance change to UDD-8 could be dealt with and they came up with three options:

- A) No change to UDD-8 - respect that the heights in the standards are what they are despite recognizing that they don't mesh with commercial development.
- B) Make a district-wide change, but it wouldn't be completely arbitrary because it would be only on blocks where commercial developments are allowed – mostly on the south side of E. Washington. There are very few sites where the shadow impacts would change since there are not many residential structures nearby to these potential sites.
- C) Make the change less prescriptive. There is some UDD-8 precedent for this approach, e. g., the standards were changed to allow something lower than 3 stories right along E. Washington and that allowed the Galaxie to put in the balcony/terrace area off Festival Foods' mezzanine area. The approach would be to ask UDC to consider allowing greater floor-to-floor heights in commercial buildings only if shadow studies show that the impact of the height increase is minimal.

Karen Banaszak asked if a developer would have to show that there is a need for the higher floor heights. Heather said that commercial/office buildings typically have floor-

to-floor heights greater than 12' and are usually 14' or even sometimes more. They have higher ceilings because, unlike most residential buildings, their HVAC and other equipment is between floors. She added that they wouldn't include a requirement that the need for great floor heights must to be demonstrated.

Mark Bennett asked if there was maybe a 4th option where floor-to-floor distances can change with some floors more than the current allowable and others less, so that the total building height is the same as the currently allowable heights. Heather said that is what is currently in the UDD-8 standards (the Constellation and Galaxie have higher floors on lower levels). Chris Oddo asked what the Tenney-Lapham Neighborhood Plan says. For instance, does it say 8 stories or does it list height? Heather said that the UDD-8 ordinance has codified both the Neighborhood Plan and the Capitol East Build Plan. The Plans are more general while UDD-8 standards are the ordinances that must be followed – the standards refer to both floors and heights. Karen, who lives on Curtis Court across from the proposed site, asked if all that mattered was the shadowing on the proposed site in Heather's example #3 (across E. Washington). Do we assume that Summit will go up as proposed since all that mattered was the shadows on the site? Heather clarified saying that the shadow from a taller building across E. Washington from the Summit and Stone House sites will impact only the Stone House and Summit buildings. Shadow impacts from the Summit building on nearby properties will have to be considered.

Chris Oddo asked how big the overall difference in height is between the taller proposed buildings and the currently allowable heights. At site # 1 (Messer's), where an 8-story building is allowed, the difference is 17'.

John Belknap asked Heather if they were proposing changing the ordinance. Heather said that no, they are only analyzing the options – City Planning doesn't propose these. Heather added that at the last meeting Peter Tan showed the shadow impacts of Summit's proposal. John asked if what Heather was discussing was more universal as opposed to specific. Heather agreed.

On the block where Summit is proposing a 10-story building, the change would be 21'. Heather clarified that the current allowable is 10 stories on the Summit site. Ledell added that the reason that city staff is looking at other sites rather than just the Summit site is that if we change UDD-8 (the whole E. Washington corridor), which is what is being considered, she wants to make sure there isn't an unexpected deleterious impact. The other thing that she realized as they talked about the possible UDD-8 change is that she didn't want to just change the floor-to-floor heights everywhere. Summit has things to work through on their proposal, so if Summit doesn't work out or if their requested TIF doesn't work out, or whatever, she wants to make sure that we have a firewall against another developer coming in and using the larger floor-to-floor heights over a larger area of that block. She does think there is something to Summit's discussion of better shadow impacts with the tower mass pushed towards E. Washington. The other thing is that if we do go with option C (UDC having some flexibility on commercial buildings), then she wants to make sure it is as tight as possible. Chris Oddo asked how do you spell it out for UDC? Heather answered that option C does introduce subjectivity, but there are other

things in UDD-8 standards that are subjective, e.g., the standard that allowed the balcony on Festival Foods. It isn't all just prescriptive and precise. UDC might like the flexibility. Staff can talk also talk about the shadow impacts when they issue reports to UDC and Plan Commission. If option C were chosen, UDC could then weigh each situation. This would also allow Summit to do something different than the other buildings. Chris said that if UDC is looking at shadow impacts for additional height requests, they could add a requirement to show 3-d software-generated loops - all architects are using this software. They can run animations that show how a shadow sweeps across throughout the day for the different seasons. He suggested that this would be a good requirement if an applicant wanted to deviate from the current height limits.

Karen agrees with Ledell that if Summit doesn't do this project, she doesn't want another developer to build higher floor-to-floor heights over the entire block. A discussion of Summit's shadow impact images from their presentation followed (see online presentation). Summit's current design generally casts fewer shadows on the adjacent houses and on the bike boulevard than a building built to the allowable heights on the entire site.

Chris asked if Summit can get their desired 140k square feet of office space if they build a tower of maybe 8 floors then embed 2 or 3 floors in the center of the parking structure - they could create box on top of the parking structure that is set back from Ingersoll and Breatly. He thinks the building as proposed is too tall and there is no reason to add extra floors. Chris recognized what Peter Tan said at earlier meetings - that there are transfer plate/beams issues if the building extends on top of the parking - but he thinks it is not a ton more money to do it. Contractors can do quick calculations on these types of variations. They would though need separate mechanicals if it was separate from the tall building. Ledell asked how much space mechanicals take up. Jeremy Eppler from Summit said he doesn't know - they haven't explored that option. Chris added that he thinks we need to look at it from a much broader picture too - coming from the Constellation, Galaxie, etc., coming from downtown, it is too up and down. The block east of the Summit site can have only 3 stories. A more gradual stepping down from downtown would be appropriate. Ledell said that currently, the UDD-8 standards allows for 10 stories; it is not a question of 6 stories or 7 stories, the discussion is about an additional 21'. Their proposal meets the bonus story criteria (for the 2 additional floors to make 10 total).

John Belknap thinks the total height standard should stay the same and that they could do away with some of their parking. Karen added that we now have a 100' park space - why can't that be a criterion too? Karen hopes there will be more opportunities to weigh in. Jeff Reinke agrees, and with all due respect to Ledell, he would rather see an angling down of the proposed building towards Ingersoll (a tiered structure in that direction). John reiterated that he wants the heights to stay the way they are. Heather said that 10 stories are allowed. Heather further explained option C - it would allow UDC to consider both floor-to-floor and height. Would they consider the shadow impacts of allowing a taller building? Can the wording of option C be nuanced further? Yes - there is still work to be done on the exact language.

Chris said that if he were on the TLNA board, he'd need more description for deciding which option is better. He thinks TLNA needs more info. Ledell said that this is coming up because we have a good organization (Summit) coming in and saying they are interested in the neighborhood and getting jobs into the neighborhood, so she and staff are trying to see if what Summit needs is conceivable for this neighborhood. She does want to hear what people have to say and wants to explore unintended consequences.

Shaun Abshire asked if in the current UDD-8 ordinance in which UDC has jurisdiction or first call, are there similar things that are this subjective? Heather referenced the Festival Foods balcony again. When the Galaxie was marching through the process, there was a change that gave UDC the power to allow lesser minimum heights on the E. Washington facades. It was a subjective language change. Another is that all E. Washington buildings need a 15' setback, but there is flexibility if there is a pedestrian plaza or some other positive feature that allows the setbacks to be greater. John asked if Summit does get the 2 bonus stories on top of the allowed 8 stories, would they be allowed to be 14' if we change the standards? Yes.

Patrick asked all to express their preferences between the choices so that we can convey what the committee thought to TLNA Council. He said he will write up a summary of the committee's findings on this issue, pass the draft by the committee members present at tonight's meeting, and send it TLNA Council before their Thursday meeting when they will consider this issue. He will try to explain the issue concisely in order to educate TLNA Council before they consider the issue.

Shaun said he prefers option C but would like more language included that is more specific. Chris and Karen agree with Shaun. John prefers A – keep things they way they are. Jeff passed on expressing a preference. Mark Bennett left the meeting early, but Patrick said he would email him for his opinion (later, Mark expressed a preference for either A or C).

Patrick asked Jeremy if there were any updates on the proposal, including any information about when their traffic study would be done. Jeremy said that they hoped to have preliminary results back soon and have a May 25 meeting scheduled with city staff to talk about the findings and traffic concerns.

Chris suggested that queuing at the drive-up bank could impact traffic. Cars could back up onto Ingersoll. Ledell asked Jeremy how much room there was internally in the garage for queuing. Jeremy wasn't sure, but would find out. Heather said the city would evaluate this too – there are 3 lanes and she assumes there will be internal queuing space for 2 or 3 cars per lane. Does Traffic Engineering have requirements for queuing? Yes.

Shaun said we could condemn that block of Ingersoll St. and make it a green space. Patrick mentioned that the already approved Stone House development is required to have access to Ingersoll to/from their parking garage – it was a condition of approval. Karen reiterated her dislike of the lack of green space. It sickens her – they could at least

have green space on the parking garage rooftop - it could be a dog park. They could do rainwater capture on the rooftop. Now it will just carry oil and gasoline into the lakes. It was mentioned that Chicago is doing interesting things to promote rooftop green spaces and such – second use concepts - similar to bike polo on the water reservoir. The ground isn't the only place for parks. There should be a quid pro quo – we are losing trees and green space so something needs to replace that. Chris added that LEED certification or green measures would be a plus and in the right direction.

A tentative next meeting date was set for June 2 at 7pm. Ledell will not be able to attend nor will Shaun Abshire, but it was earliest available date for others after the anticipated May 25 meeting that Summit will have with City Traffic Engineering. Patrick will verify this as the date approaches and let everyone via email.

Karen said that 100 years is a short time – in Europe and other countries buildings are built to last a long time. Summit's building could be a landmark project, better than anything that has been built. She thinks those being built along E. Washington so far are not beautiful - this should be beautiful. Jeremy said that Summit shares that same vision – it will be their headquarters and they want to draw attention to it. Shaun added that E. Washington is a gateway - their architect can do better than some of these other buildings.

Attendees and the developers were thanked for their attendance and good input.