

Committee for Balanced Development
January 24, 2007

Commissioner Guare Rodman
DCD
809 N. Broadway
Milwaukee, WI 53202

Dear Commissioner Guare Rodman,

Enclosed is a copy of an analysis of the eleven story condo project proposed for the Downer Stowell area. As noted in the analysis, we are supportive of the renewal of Downer Avenue but not at the expense of building a condo-hotel which in its new design version creates an eleven story building on both Downer and Stowell Avenues. Rather than reducing the height of the eleven story building as requested by the majority of the neighborhood residents, we now have one building which affronts two streets giving the neighborhood two out of scale buildings in an area where only 60 feet is allowed by code.

Please review the following report which articulates our major concerns.

Sincerely yours,

Pam Frautschi

Michael Fleet

Edward jj Olson

Citizens for Balanced Development

January 23, 2007

We are a group of neighborhood residents opposed to the construction of an 11-story condominium on the northeast corner of Webster and Stowell avenues. We believe that a building of its height and mass is incompatible with the character of the surrounding neighborhood, would have significant “shadowing effects” on other buildings in the area, and would greatly increase, not reduce, sidewalk and street congestion. We also believe that the medical offices called for by the Downer Avenue “master plan,” are more likely to generate additional income for the developers than they are to revitalize the Avenue’s shops and retail businesses. We are convinced that our views are shared by the vast majority of the area’s residents, by most of the merchants who own their own buildings, and by many who do not, but might find it difficult to express their views publicly.

a) **The Condo.** The Downer Avenue area consists primarily of single-family houses and duplexes, with modestly proportioned apartment buildings sprinkled here and there, almost all of them 3 or 4 stories, and 50 feet, in height. The two outsized buildings in the area, a 7-story, 80- ft. building at Stowell and Belleview, and 9-story, 90 ft. building at Prospect and Bradford, stand out as monsters in this context. The first of them has 72 units, the second, 70; as such, they are notably out of scale with the rest of the area, ought not to have been permitted 40 or more years ago when they were built, and ought not to serve as precedents for an 11-story, 131 ft. building with even more (76) units and 224 parking slots to boot.

The regulations and restrictions governing new construction in the city were revised in 2002 to achieve a balance between preserving neighborhood character and meeting contemporary development needs. The Department of City Development’s web page states that:

“New buildings should be designed in ways that retain the traditional qualities of Milwaukee’s architecture. This does not mean that new buildings should nostalgically imitate historical styles. In fact, to do so would be contrary to the creative design traditions that produced Milwaukee’s rich architectural legacy. Timeless design principles should be followed that produce architecture *that fits with its context and is human scale*. New buildings should be designed *to be compatible with neighboring structures, spaces, and activities* (my emphasis). Combining good design with the city’s rich architectural heritage will maintain its unique, attractive, “people-friendly” environment and further enhance Milwaukee’s residents’ quality of life.”

The web site also identifies 4 specific principles: 1) neighborhood compatibility; 2) pedestrian friendly design; 3) land use diversity; and 4) transportation diversity. With regard to neighborhood compatibility, the DCD writes:

“a cohesive neighborhood environment depends on buildings that compliment one another. The size, shape and location of buildings as well as the uses contained within them, create “patterns” that define neighborhood character. New development should be compatible with the patterns of its surrounding context” (my emphasis).

We believe that a building as tall (131 ft.) and massive (160 ft. by 127 ft.) as the one being proposed is grossly incompatible with: a) the remaining buildings on Webster and Stowell, on which there are both single-family and two-family residences, and apartment buildings of no more than four stories, each of which is set back from between 4 and 10 feet from the sidewalk; and b) those of the wider 16-square block neighborhood that contains only **two** buildings of more than four stories.

The DCD’s second principle, which deals with pedestrian friendly design, reads:

“Cities are for people, and an environment designed to accommodate the pedestrian heightens human experience and

sense of place.” New development should be designed to create attractive, comfortable and safe walking environments.”

We submit that structures without ground-floor retail stores to distract the pedestrian’s eye from above-ground parking levels are inconsistent with this principle. We also suggest that the next time the Commissioners are driving south on Farwell Ave. they look at the building that NLE has put up at Royall and Farwell to see how unfriendly an 11-story building with overhanging balconies can be to pedestrians on the sidewalks below.

And, finally, the department’s third principle addresses land use diversity:

“Milwaukee neighborhoods are comprised of a rich mix of land uses. Such diversity uses land efficiently, provides for neighborhood convenience, and contributes to unique urban experiences.”

We submit that putting a building with 224 parking spaces on land bordered by a 30 ft. street and an 18 ft. alley constitutes unacceptable inconvenience to the immediate area, and is likely to produce urban experiences that ought to be avoided.

b) **The Downer Avenue “Master Plan.”** Our second objection is to the master plan for Downer Avenue, to which the Stowell-Webster condo has been recently attached, but which we believe is a post-hoc add-on to justify the condo. Many of us who have lived in the neighborhood for years think of it as a densely populated one. We also believe that the recent decline in street and sidewalk traffic is more a function of the irresponsibility of the former landlord, long-empty shops and cafes, and the development of nearby hubs and attractions, **not** declining density or inadequate parking capacity. We would be open to argument or evidence to the contrary (e.g., a serious commercial study), but we have seen neither. Nor do we know of economic impact studies that project the effect of the proposed 150 medical offices on Avenue stores and shops. We suspect that they will produce additional street traffic and parking demands for which neither Downer nor the adjacent streets are well-suited. But we fail to see how they would generate additional pedestrian traffic or business for existing stores, shops, and entertainment sites.

A second point with respect to the so-called “master plan” concerns the current ill-repair of Downer Avenue properties. We believe that buildings and store fronts in need of repair are the financial and legal responsibility of their owners, and that these matters should be handled by lending institutions, not zoning commissions. We do not believe that their ill-repair should be used to justify the waiving of existing zoning regulations for the purposes of either providing additional parking or generating the income with which to rehabilitate them.

Thirdly, we think that the triangle at Belleview and Downer is a strategic piece of property, located between the populous bookend-complexes of UWM (to the north) and Columbia-St. Mary’s (to the south), and should be the object of more creative use than that envisioned in the “master plan.” We believe that moving Associated Bank to the city-owned parking lot at Belleview and Downer, and adding additional parking capacity above it to accommodate the new medical clinics, will have decidedly negative effects on both the Avenue’s appearance and on the commercial vitality of existing Avenue businesses, and that a small hotel or mini-mall would actually provide far greater synergy effects for area shops, stores, and entertainments sites.

c) **Public Policy Issues.** Here, to conclude, we focus on two issues: a) the request that the Downer Avenue area be designated General Planned Development (GPD) status; and b) the relationship between NLE's "master plan" and the City's Northeast Side Area Plan.

Firstly, **General Planned Development** status, is a special zoning category for complexes, such as a university district, an office park or medical center, or a regional residential, shopping and entertainment complex such as Bayshore, that incorporate multiple and truly **interdependent** uses. Downer Avenue is **not** such an entity. It is simply a neighborhood shopping district five blocks south of a university and three blocks north of a medical complex and entertainment hub. It is currently subject to the zoning regulations and restrictions that appropriate to, and protective of, its jointly residential and commercial character.

One of the arguments in favor of designating the area a GPD is that this would give the city more "design control." But the city already has adequate design control by virtue of its zoning authority and its ownership of strategic properties in the area. The city does not need a GPD, the developer (NLE) does. The developer wants to build an 11-story condo, but cannot obtain a variance from the Board of Zoning Appeals (BOZA) because it cannot show economic hardship. It can make a reasonable profit on a building at Stowell and Webster that complies with the code (60 ft. high), and making a reasonable profit is not the same thing as hardship. Granting of GPD status would effectively re-zone the entire area by other means, which we think is a bad idea, and would open the door to additional waivers in terms of height and density, which we think is an even worse one.

Secondly, a **Northeast Side Plan (NSP)**, launched, in July 2006, is currently in the process of developing recommendations for land use, design principles, and catalytic projects that will serve the needs of area businesses, property owners, residents, and neighborhood associations. At the present time, a Contract Management Team is meeting regularly, demographic data are being collected, preference surveys and focus groups are being conducted, and the 50-

plus member Plan Advisory Group of community stakeholders is advising Team members on how to facilitate greater public participation. The target date for completion and approval by city officials (RDA, CPC, ZND, and the Common Council) is January-March of 2008. The plan is a response to the Wisconsin Smart Growth Law of 1999, which requires that a community-based process be followed in creating local plans, and that these plans become the basis for all local government actions. Downer Avenue is one of roughly ten key districts within the larger Northeast Side area. It is our view that no re-zoning or development affecting either the Avenue or the area around it ought be authorized in advance of a thorough community-based process of the sort underway with the NSP, i.e., one that actively engages the area's business owners, residents, and representative association.