

To: Madison Urban Design Commission

From: Peter Ostlind

Date: January ~~30~~29, 2010

Re: February 3, 2010 consideration of the Edgewater proposal

Since I will be out of town and unable to attend your next meeting I would like to pass along some thoughts on the recent submittal by the Hammes Company regarding the Edgewater proposal.

In reviewing these documents I note that there is no new information which might address the concerns I expressed verbally or in writing at your 1-20-10 meeting. I will not reprint those concerns here but simply ask that you refer to the copy provided to you earlier. These comments can be found at: ??(A copy of those comments is attached in case you no longer have the original.)

New Hotel Tower Changes:

The changes to the entry façade of the hotel tower includes a new vertical element that extends above the proposed roof line creating another rooftop penthouse. While providing asymmetry to the architecture this design increases the mass and scale of the building. Many of the comments I heard from Commissioners at your last meeting spoke to concerns with scale and the need to reduce the volume not increase it.

The new vertical element also eliminates the setback of the building at the upper floors which the applicant has been suggesting preserved the Wisconsin Ave. view corridor.

With this new penthouse close to half of the roof will now include penthouses. Virtually the entire span of the building in both principle directions will be covered with penthouse. Effectively this is becoming yet another floor on the building not simply a small area for mechanicals or elevator over runs.

1940's Building Addition:

The height of the addition on the 1940's building has increased from prior proposals. (see Plan Sheet 2.02) The prior drawings don't seem to have a specific elevation for the top of the addition so it's difficult to tell how much taller it is now.

New NGL Parking Lots and Road Connector:

On the Title Sheet of the plans prior submittals showed a new parking lot on the NGL property as well as an extension of the private drive past the loading dock which connected to NGL parking lots currently accessed from Pinckney St. On the current submittal this new parking and road are no longer shown. My understanding is that as part of the accepted offer to purchase the parcel of land from NGL the applicant is required to build a new parking lot and install the connector road. The original plan showed that the number of new parking stalls would be in excess of those that were lost. If indeed the sale of the land is contingent upon building new parking lots then I would suggest that this parking should be reviewed and considered at the same time, not brought back at a later date with a statement of “Well, we have to provide this parking so ...”.

Scale and Mass:

The scale and mass of the proposed hotel tower are significantly out of context with the surrounding structures and the Mansion Hill Neighborhood in general. At an early meeting of the UDC I recall Commissioners wanting to know how the Landmarks Commission felt about this issue before considering the proposal.

The Landmarks Commission has spoken clearly that the scale of the proposal is inappropriate. In this regard they agreed with Staff who wrote in their report that they “would find it very difficult to conclude that the proposal can meet criterion 1” relating to visual compatibility of the gross volume of the building.

Any proposal approved for this site will serve as a precedent for future development in the surrounding area and especially for the undeveloped NGL land. Notwithstanding the applicants suggestions that their proposal would not be a precedent it most certainly will [be used as a precedent](#) in just the same manner that they currently use buildings like NGL and Verex to justify the size of their proposal. Whatever might be approved for the Edgewater will have an extended impact into the future on the adjacent land and the neighborhood.

Criteria for Review:

The ordinance establishing the UDC speaks to design, appearance, aesthetics and landscaping. Indeed this is what most of your review and discussions are about. However, the scope of your review is not limited to solely these items.

The standards for review of PUD's are specifically cited in the ordinances as forming part of the basis for UDC review. In particular there is a criterion for Character and Intensity of Use which requires that the proposal be compatible with the physical nature of the site and area. Relevant sections of the ordinances are copied below for your information.

The PUD standards also indicate the proposal must be compatible with the general development plan of the City. Starting in 2010 by state law new development must also be in accordance with the Comprehensive Plans. Previously I provided you with a review of applicable sections of the Comprehensive Plan as they relate to this proposal. [This review can be found in Legistar at: http://legistar.cityofmadison.com/attachments/0476551b-6dc4-4658-84d8-37f3a09aac28.pdf](http://legistar.cityofmadison.com/attachments/0476551b-6dc4-4658-84d8-37f3a09aac28.pdf)

Thank you taking the time to consider my thoughts. I regret that I will not be present to hear your discussion.

33.24 URBAN DESIGN COMMISSION

(4) Powers And Duties.

(b) Planned Developments. The Urban Design Commission shall review the design of all proposed developments that are considered planned developments under provisions of the Zoning Ordinance (i.e., Secs. 28.07(4), (5), (6) and 28.12(11)(k)). In exercising this power, the commission shall be bound by the provisions of Secs. 28.07(4), (5) and (6) and Sec. 28.12(11)(k) and shall report its findings to the City Plan Commission and Common Council.

Planned Unit Development District (PUD).

28.07(6)(a) Statement Of Purpose. The planned unit development district is established to provide a voluntary regulatory framework designed to encourage and promote improved environmental and aesthetic design in the City of Madison by allowing for greater freedom, imagination and flexibility in the development of land while insuring substantial compliance to the basic intent of the zoning code and the general plan for community

development. To this intent it allows diversification and variation in the bulk and relationship of uses, structures and spaces in developments conceived as comprehensive and cohesive unified plans and projects. It is further intended to encourage developments consistent with coordinated area site planning.

- (f) Criteria For Approval. As a basis for determining the acceptability of a planned unit development district application the following criteria shall be applied with specific consideration as to whether or not it is consistent with the spirit and intent of this ordinance and has the potential for producing significant community benefits in terms of environmental and aesthetic design. For Planned Unit Development Districts With Residential Components in Downtown Design Zones, the Design Criteria adopted by the Common Council shall be used as guidelines for determining whether the following criteria are met. (Am. and Renumbered by Ord. 12,866, 8-7-01)

1. Character And Intensity Of Land Use. In a planned unit development district the uses and their intensity, appearance and arrangement shall be of a visual and operational character which:

- a. Are compatible with the physical nature of the site or area.
- b. Would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the general development plan.
- c. Would not adversely affect the anticipated provision for school or other municipal service unless jointly resolved.
- d. Would not create a traffic or parking demand incompatible with the existing or proposed facilities to serve it unless jointly resolved. A traffic demand management plan and participation in a transportation management association may provide a basis for addressing traffic and parking demand concerns.