



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 404-412 West Washington Avenue and 8 North Broom Street
Application Type: **Applicant Request for Advisory Opinion**
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The following project is before the Urban Design Commission (UDC) for a third informational presentation. Earlier versions of the project had been before UDC on March 9 and April 6, 2016. The formal land use application before the City includes approval of six demolition permits, a zoning map amendment, and multiple conditional uses. This includes a conditional use to exceed the Downtown Height Limit.

The applicant has requested an advisory opinion from the UDC. Note, the UDC is not an approving body on this request nor does the Zoning Code require that the UDC to provide an advisory opinion. Staff requests the UDC provide specific feedback to the Plan Commission on project design related to the approval standards. Due to the design issues noted in this report, the Planning Division believes UDC review is appropriate on this request.

Approval Standards

The full land use application is subject to the approval standards for Zoning Map Amendments [MGO 28.182 (6)], Conditional Uses [MGO 28.183(6)], and Demolition Permits [MGO 28.185(7)].

Related to the design-aspects of this proposal, the Conditional Use approval standards state that the City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan... Additionally, Conditional Use Standard 9 states, in part:

When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation.

In addition to the conditional use for a multi-family building exceeding eight units, the applicant requests approval to exceed the maximum four-story height limit. Section 28.0712(b) identifies the subject site within an area where two additional stories above the maximum building height can be approved with conditional use approval. The conditional use standards for additional height state:

When applying the above standards to an application for height in excess of that allowed by Section 28.071(2)(a) Downtown Height Map for a development located within the Additional Height Areas identified in Section 28.071(2)(b), the Plan Commission shall consider the recommendations in adopted plans, and no application for excess height shall be granted by the Plan Commission unless it finds that all of the following conditions are present:

- a. The excess height is compatible with the existing or planned (if the recommendations in the Downtown Plan call for changes) character of the surrounding area, including but not limited to

the scale, mass, rhythm, and setbacks of buildings and relationships to street frontages and public spaces.

- b. The excess height allows for a demonstrated higher quality building than could be achieved without the additional stories.
- c. The scale, massing and design of new buildings complement and positively contribute to the setting of any landmark buildings within or adjacent to the projects and create a pleasing visual relationship with them.
- d. For projects proposed in priority viewsheds and other views and vistas identified on the Views and Vistas Map in the City of Madison Downtown Plan, there are no negative impacts on the viewshed as demonstrated by viewshed studies prepared by the applicant.

Adopted Plan Recommendations

The Comprehensive Plan (Adopted in 2006) includes this property within the Mifflin-Basset sub-district of Downtown. That Plan's recommendations include multi-family residential, mixed-use buildings, neighborhood commercial development, and buildings between two and four stories in height. That Plan also recognizes that refinements of these districts may occur with City-adopted detailed special area plans, including the Downtown Plan.

Recognizing the importance of this corridor, the Downtown Plan has several recommendations for the 400 and 500 blocks of West Washington Avenue. A copy of the defined objectives and recommendations for West Washington Avenue is attached. The Plan notes that these blocks have a special character that is different from surrounding areas. The predominant physical characteristic is created through the broad terraces, large canopy trees and generally consistent building setbacks that provide an engaging public realm and the opportunity to further enhance a truly engaging entryway to Downtown. These blocks have large terraces and consistent front yard setbacks that provide a sense of "civic open space." The design of new developments are recommended to engage the street and help maintain an active, pedestrian-scale environment through façade articulation and provision of multiple front entrances to larger buildings with porches and balconies, and other street-oriented features. The full plan is available online at:

http://www.cityofmadison.com/dpced/planning/documents/Downtown_Plan.pdf

The Downtown Plan also recommends buildings up to four stories along both sides of West Washington Avenue, with the potential for two additional stories if there is a noticeable setback. Appendix C of that plan provides further recommendations on the plan's criteria for additional height. The plan specifically recommends:

Where additional stories are available, it is not intended that they be earned merely by complying with standards and criteria that would be required and expected in any case, such as underlying zoning regulations, good design, or sensitivity to an adjacent historic landmark. The intent is not simply to allow a taller building and additional stories should not be considered "by right" heights. Rather additional stories are to be used as a tool to encourage and reward buildings of truly exceptional design that respond to the specific context of their location and accomplish specific objectives defined for the area.

Design Comments

The current plans, resubmitted to the City on April 14, 2016, include revisions related to exterior materials and detailing, as the building's shape and setback are largely the same. While the Planning Division believes some improvements have been made, the Division has many of the same basic comments as raised in the March 9, 2016 report and in preliminary pre-application discussions with the applicant team. The Division's comments are more specific in response to the more detailed information that has been provided. As summarized below, the design concerns related in this report speak to areas in which the project is believed to not be compatible with the existing or intended character of this portion of West Washington Avenue.

The Planning Division requests the UDC provides specific feedback to the Plan Commission on the following design-related issues:

- **Additional Height.** Among the most important considerations is the Conditional Use request for additional height. As designed, the Planning Division does not believe that the excess height is compatible with the surrounding context. While most surrounding buildings generally have a more cohesive top-to-bottom composition, the Planning Division has concerns the upper two floors don't have a clear relationship to the building's body or base, or surrounding structures. (See further analysis, below).
- **Setbacks.** An important consideration is the West Washington Avenue setback. The Downtown Plan notes the importance of "consistent setbacks" as part of maintaining the "grand appearance" along the 400 and 500 blocks of West Washington Avenue. Since earlier submittals, the applicant has provided considerably more detailed setback information to evaluate this request.

Setbacks are measured from the property line to the distance by which any structure is separated from the lot line. Along West Washington Avenue, this would be from the projecting cantilevered portions. Cantilevered sections are within 12 feet of the property line and 14.5 feet of the back of sidewalk.

During pre-application discussions, the Planning Division recommended that the building have a minimum 15-foot setback along West Washington Avenue. Planning's intent was that this to be largely clear of obstructions. The provided setback analysis submitted by the applicant on April 14 also shows that the average block setback was about 17 feet to the back of the sidewalk. This translates to an approximate setback of about 15 feet from the actual property line.

As proposed, the building would be set closer than the existing block average and would likely set a precedent for future redevelopment with an approximate 12 foot setback to the property line. The Planning Division believes a true 15-foot setback better responds to the existing context.

- **Materiality and Composition.** The Planning Division continues to have concerns on the building's materiality and composition. Adopted plans do not recommend a specific style, and staff notes that the surrounding context is varied in terms of contemporary and more traditional forms. Staff believes most surrounding buildings have a more cohesive top-to-bottom design. In terms of composition, the proposed building has a number of primary materials, accent materials and colors. The Planning Division recommends simplifying and unifying building's composition.

As noted in the previous report, the Planning Division encouraged that a building of this size and scale seeking "bonus stories" should have predominance of high quality materials, such as masonry, and that other materials, such as fiber cement panels, be used as an accent. The applicant has responded by increasing the amount of brick in portions of the building, primarily along North Broom Street. The

Planning Division remains especially concerned about the composition of the fiber-cement panel-clad West Washington Avenue façade which is a prominent building element due to its location and projecting cantilever. Finally, staff believes the project lacks a true four-sided design, as evidenced by changes in materiality and patterning along sides and rears of the structure. This includes side elevations that are anticipated to be visible from West Washington Avenue due to the proposed height above four stories.

- **Window Patterning.** The Planning Division again notes concerns that the combination of window size coupled with the irregular patterning results in a façade that appears very solid, especially along West Washington Avenue. While the applicant indicates the percentage of glass exceeds what is required by zoning, the Planning Division believes the composition continues to read as largely solid in portions closet to West Washington Avenue. On other facades, staff believes the lack of consistent window patterning between the upper floors and body leads to a lack of cohesion between these elements.
- **Stepback Composition.** As questioned in the original report, the Planning Division does not believe the fifth and sixth stories have a clear relationship to the lower levels. To illustrate, staff notes that many upper level elements do not appear to have any sort of regular alignment or rhythm corresponding with the main body of the building. Some elements align and others do not. As there is only a four-foot stepback proposed along North Broom Street, staff believes more design cohesion is needed between these building elements. Along the building's west side, the building abruptly transitions from gray brick to gray panel with no perceivable change in plane. And like on the Broom Street-side, the upper levels include an entirely different window pattern in places.
- **Balcony Comments.** The Planning Division has multiple comments regarding aspects of the balconies. First, the Planning Division has concerns over the amber-shaded glass balcony enclosures and seeks the input of the UDC on whether they believe other balcony treatments would simplify the façade as the materials introduce another color onto the façade.

Second, the Planning Division is concerned about the extending floating balconies on the building's sixth floor. Planning does not believe these are well-oriented into the façade and in fact, the floating balconies defeat the purpose of the upper story stepback along South Broom Street.

Finally, Planning has comments regarding the wooden balcony insets. The architect has added wood to the insides of balconies as a detail to provide "warmth" to the façade. The Planning Division doesn't object to their use and believes the wood accents along the front building corner are an attractive element. However, staff requests the UDC comment on brick should return into balconies. Staff believes this will have positive benefits on simplifying the composition and proving the brick to appear more integrated into the façade compared to the proposed material change at an exterior corner, covered with thick trim.

- **Building Cap.** The Planning Division also previously requested the applicant address the top of the building. In response, a more prominent cap has been added at the corner with smaller cap features located to the sides. However, the Planning Division has concerns on how the cap transitions and note that a more consistent feature may help unify the top of the facades. Of particular concern is how the Broom Street façade will be perceived from the street with its varying roofline.
- **Rooftop Screening.** Sections 28.071(3)(h) and 28.142(9)(d) of the Zoning Code requires that all rooftop mechanicals are screened from the view from adjacent streets and public rights-of-way and shall be

screened from view from adjacent buildings to the extent possible. Based on the proposed plans, the Planning Division has concerns that rooftop screening will not meet these requirements.

Analysis and Conclusion

While the applicant has made alterations to the building's materials and detailing, this report includes many of the same general concerns that were noted in the March 9, 2016 Staff Report presented to the UDC. The concerns noted in this report relate to several design-related approval standards, including the general Conditional Use standards and the additional standards related to exceeding the allowed maximum height.

In order to approve any conditional use, the Plan Commission must find all standards are met, including Conditional Use Standard 9 [MGO 28.183(6)9], as discussed above. Considering this standard, the Planning Division does not believe the project "creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district" as proposed. The referenced purpose statement for the proposed DR-2 Zoning District states, in part, the district is intended to "ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of scale and rhythm, building placement, façade width, height and proportions, garage and driveway placement, landscaping and similar design features." The design concerns discussed in this report address several areas in which the project is believed to not be sensitive to context or compatible with the existing or intended character of the subject block.

In regards to the excess height, the Planning Division believes that further modifications are necessary to meet Conditional Use Standard 14 [MGO 28.183(6)14] to exceed the height allowed by Section 28.071(2)(a). Of the four standards, Standards a,b, and d apply to this request. Standard "a" refers to the excess height's compatibility with the existing or planned character. While the Downtown Plan notes the potential for two additional stories if there is a noticeable setback, though such heights are not to be considered "by right" heights. The Plan recommends bonus stories are to be used as a tool to encourage and reward buildings of truly exceptional design that respond to the specific context of their location and accomplish specific objectives defined for the area.

The Planning Division does not believe that the excess height responds to the surrounding context. This report notes concerns along both the West Washington Avenue and North Broom Street frontages. While most surrounding buildings generally have a more cohesive top-to-bottom composition, the Planning Division has concerns that the upper floors don't relate to the building's body or base, or surrounding structures.

In regards to excess height Standard b, the letter of intent notes that the proposed additional stories provides benefits such as an increased setback on West Washington Avenue, additional resident amenities and open space, higher quality building materials and rooftop HVAC instead of wall-packs. Notwithstanding these improvements, staff still believes the building lacks a cohesive, four-sided design that would be expected for all projects, including ones not requesting bonus stories.

While the project design has been improved, the Planning Division does not believe the conditional use standards, including those for excess height, are met at this time.