

Parks, Timothy

From: Murphy, Brad
Sent: Friday, January 22, 2010 2:03 PM
To: Parks, Timothy
Subject: FW: Edgewater Pier

Tim, This is for the Edgewater PUD file.

Brad Murphy
Planning Division Director
Dept. of Planning & Community & Economic Development
P.O. Box 2985
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Madison, WI 53701
608 266 4635

From: Fred Mohs [mailto:fred@mmwp-law.com]
Sent: Friday, January 22, 2010 12:18 PM
To: Murphy, Brad
Cc: Adam Plotkin; Doreen Adamany; John Sheean; Ledell Zellers ; Pat Sheldon; shermanhackbarth@gmail.com; Susanne Voeltz
Subject: Edgewater Pier

Brad:

I talked to Kami Peterson at the DNR at 3:30 p.m. on January 18, 2010, following up on the discussion of the proposed Edgewater pier at the UDC meeting last night. Kami told me that Sue Correll, an attorney with the DNR, had contacted Hammes after the rendering of the proposed Edgewater was published in the paper. Eventually, she was able to succeed in having them come out for a meeting which took place sometime this September with Sue, Megan, and Sue Josheff, the Lower Rock River Basin leader. Two subjects were covered with Bob and Amy.

The first subject was that although everyone knew that the existing dining pier was non-conforming, that now was the time to bring everything into compliance. They were told that the platform is not permissible under any circumstances. It does not meet the objective of a pier which is the loading and unloading of boats.

The second subject was the long pier with the platform on the end and the tiki bar. This also was not permissible for a number of reasons. The wide platform on the end of a pier is not something that the DNR will permit and there are issues with the length that the DNR does not have sufficient information about to be able to assure them that anything like a pier of that length could be built. They told them they would be willing to work with them after they found out what the depth of waters were in that area, and certainly they could build a pier of some length although they should not count on a pier with the length of the one that they had shown in their rendering.

As far as I could tell, there was no reason for a delay in discussing pier issues with the DNR because they are not dependant on what type of shore development is planned.

Sincerely,
Frederic E. Mohs
Mohs, MacDonald, Widder & Paradise
20 North Carroll Street

Madison, WI 53703
Phone: (608)256-1978
Fax: (608)257-1106

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To: Madison Plan Commission

From: Peter Ostlind

Date: February 4, 2010

Re: Edgewater proposal

Your agenda for the February 8 meeting will include several items related to the current proposal to redevelop the Edgewater Hotel. I'd like to provide you with my comments on some of these items. These comments could not be conveyed within the speaking time limits and a written copy will allow you to consider the comments prior to your meeting. While there is much to recommend about this proposal there remain a number of serious concerns.

Consolidate the Plan – What are you voting on?

The applicant has prepared a number of sizable documents on this proposal. Landmarks received one, the Council received a different one a several weeks ago and UDC had two more before their January meeting and then another dropped on the table as the applicant began their presentation. An additional submittal was made for the UDC meeting last week with some new information. So deciphering just what the proposal is has become a task of its own. Most of what's in these documents is glitz and spin, which is fine if that's what the applicant wants to do. But it is also critical to sort out the proposal by itself so that there is no confusion among any of the commissions reviewing the proposal and so that you are all voting on the same proposal, not interpretations of what each commissioner thinks the proposal is.

Details of the PUD:

Mass and Scale:

As you are well aware this has been the most contentious element of the proposal. A major reason for the Council's referral to UDC and the Plan Commission was to get feedback regarding your sense of the appropriateness of the proposal in this location.

The Landmarks Commission gave this issue extended consideration and then concluded that the new hotel tower was not of a scale compatible with the surrounding area or neighborhood. The criteria for approval of PUD's include a similar standard that the character and intensity of land use shall be compatible with the physical nature of the surrounding area.

As noted in the Staff report to the Landmarks Commission the size of the hotel tower is 3 to 16 times the size of the adjacent structures. In fact all of these structures would fit within the new tower and only take up 60% of the total volume.

In their presentation materials the applicant has consistently confused the terms *height* and *elevation* in an effort to demonstrate that their proposal is consistent with other structures in the neighborhood. While height is the measure of a building above grade or the sidewalk, elevation as used is the distance from lake level to the top of buildings. The new tower may have the same rooftop elevation as the NGL building but it starts at a lower elevation down the hill resulting in a much taller building.

The current proposal is a 14 story building above the lake or 10 stories above the plaza. This is a site where the underlying zoning in the historic district has a 50' height limit. The Comprehensive Plan places the site in the Langdon sub-district with building where building heights should be "Two to 8 stories, with the tallest buildings in the State St. transition zone."

Car Parking

The current proposal is seriously under parked. The applicant indicated that their prior proposal was adequately parked. This proposal has 38 rooms fewer rooms and 131 fewer parking stalls.

Currently there are 190 rooms and 226 parking stalls. In addition to guests there will need to be parking for employees. The applicant has stated there will be 350+ employees and while I don't believe this figure is realistic the proposal should prepare for their expectations. The times with the largest number of guests will also be the times with the largest number of employees. Unlike other downtown hotels there are no adjacent public parking ramps to accommodate overflow during large events.

Parking also needs to be provided for the general public who wish to come and enjoy the plaza and public amenities. Part of the TIF application includes City support to construct parking to support the public spaces.

Current zoning standards would require over 400 parking stalls for this proposal even without a public plaza component.

| | | | |
|----------|--------------------------|---------------------------|-----------|
| 28.11(3) | Guest Room 1.0/room | 190 rooms | 190 |
| | Spa 1.0/ 300 sf | 5400 sf | 18 |
| | Restaurant: 30% capacity | 9000 sf @ 1.0/15 sf x 0.3 | 180 |
| | Ball Room: 10% capacity | 6500 sf @ 1.0/15 sf x 0.1 | <u>43</u> |
| | Total Required | | 431 |
| | Total Proposed | | 226 |

Valet parking is proposed to increase the capacity. Details of this provision indicating where the parking is located and how the cars will be parked have not been provided so an assessment of just how reasonable and permanent the valet parking proposal is can be made.

Loading Dock

The proposal includes a two bay loading area. This area is to be used both for deliveries and as a location for busses to drop off their passengers and to be stored while guests are at the hotel.

One of the loading bays is taken up with a trash compacter leaving only one for deliveries and only the same one as adequate for staging two buses. The traffic patterns shown on page 23 of Section 7 of the 1-13-10 UDC submittal packet illustrate this problem.

The zoning ordinance for this type of facility requires 1 loading berth for each 100,000 gsf. (28.11(4)(f)) For the current proposal this equates to 3 loading berths.

Bicycle Parking

The current proposal appears to only provide a small area within the parking garage for bikes. This is a space that might accommodate 10 bikes. There does not appear to be any exterior bike parking. The bike parking is inadequate and for the average person arriving on a bike difficult to locate.

Public Space Rules

Proposed rules for use of the public space were first submitted with the original TIF request. A different version can be found in the 1-13-10 UDC submittal packet in Section 7 pages 14 & 15.

Currently the public space and access to the waterfront is available 24 hour a day. The new proposal significantly restricts the hours of access.

There are also provisions in the proposed rules to allow the public spaces to be closed off subject to some unclear parameters to maintain public access. Diagrams illustrating the various closure provisions and the resulting public access and passageways should be provided to clearly define the implications of the proposed rules. Without this information a clear assessment of the public benefit derived from the plaza is not possible.

Floor Area Ratio:

To the extent that FAR is a part of your evaluation of this proposal please consider the following.

In the 1-13-10 UDC submittal packet Section 7 page 5 the applicant tries to make the case that the new tower proposal is in context with its surroundings. Of the 12 buildings shown on this page only 2 are in the Mansion Hill Historic District and most are blocks away.

Also the 1965 Ordinance granting the public right of way to the Edgewater specifically states that the vacated right of way cannot be used in any future calculations regarding the allowable density on the adjacent parcels.

(11) The area of the vacated Wisconsin Avenue shall not be allowed in any density calculation which will result in greater numbers of dwelling units, on the parcels to either side, than would be allowable without the vacation.

Waterfront Setback Ordinance Change:

The proposed change in the waterfront setback ordinance is to exempt non-residential properties from any requirement to be setback from the waters edge. Beyond the obvious reason for this change to give the Edgewater a pass on this requirement the only arguments presented have been that there are so few commercial properties along the lake that we should not be worried about them. Essentially saying "we've never had a case come up for commercial properties so let's just drop the requirement". If its appropriate to require setbacks for residential properties it is equally appropriate to have the same setback requirements for commercial properties.

This change would also mean the residential properties would need to go thru the Zoning Board of Appeals while non-residential properties would go thru the Plan Commission and Council. Why should there be a different process? Might not the difference be an encouragement to change lakefront property zoning from residential to commercial just to subvert the process.

Part of the rationale for waterfront setbacks is to provide a vegetative strip that is effective at improving water quality and also improves the visual aesthetic s when the city is viewed from the lake. The current ordinance limits the amount of vegetation that can be removed within 35' of the water. The proposed change would mean that commercial properties are now exempt from this requirement as well.

This item is not before you on its merits. Rather it is here as part of the back room political expediency that has been taking over the City land use review process. The Commission on the Environment saw this change as a detriment to our community and unanimously urged the Council to reject this change. I urge you to do likewise and reject this attempt to change ordinances to fit a proposal rather than designing proposals to our land use standards.

Waterfront Conditional Use Permit:

The applicant has recently provided information to assist in determining what the appropriate setback should be based on current ordinances. The Zoning Administrator has informed the applicant that the information is incomplete and in some cases the measurements at adjacent properties were not made to the appropriate locations. The net result of the required changes will be to increase the setback requirement from that calculated by the applicant.

The applicant's calculation for the setback is 69.3'. Unfortunately none of the drawings provided by the applicant provide a dimension for the distance of the new construction from the water. Scaling the drawings suggests that the new construction will be less than 50' from the waterfront.

Conditional uses may not be granted unless they meet all of the standards listed in the ordinance. Two standards are of particular note:

- 28.12(11)(g) 3. That the uses, values and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.
4. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

All of the adjacent properties, both developed and undeveloped, are currently zoned residential. These properties are all bound by the waterfront setback requirements. Allowing one exception in the middle of this district will impact the visual enjoyment of the lake view for the neighbors. It will also impede the orderly development of a relatively consistent setback for new construction particularly on the adjacent undeveloped land.

1965 Ordinance Changes:

The 1965 ordinance vacating the public right of way for use by the Edgewater provided an easement to the City "for the permanent benefit of the general public". Included in the easement was the "substantial preservation and reasonably feasible improvement of the visual outlook ...over Lake Mendota".

Unfortunately at the time the 1970's addition was constructed the provisions to provide the additional public benefits of waterfront access and access to the top of any structure constructed in the public right of way were not effectively enforced. The current proposal includes components which finally get for the public what was committed to in 1965.

The ordinance also requires that any new construction on the land adjacent to the vacated right of way must have a setback of at least 10' along Wisconsin Ave. The current proposal has no setback along Wisconsin Ave.

Making changes to this ordinance should not be taken lightly. The intent of the original ordinance must be honored and the commitment to the community of the permanent benefits conveyed by the ordinance must be kept. The right of way was exchanged for something Madison never got. Part of the current proposal gets Madison what was originally expected. We should not make further concessions in those permanent benefits to simply gain some of them back.

What value can the public expect from agreements the City makes if future decision makers are not willing to preserve in perpetuity the benefits gained in exchange for public property.

To: Plan Commission Members
From: Peter Ostlind
Re: Edgewater Redevelopment Proposal
Date: February 4, 2010

Attached you will find a review of the Madison Comprehensive Plan in relation to the current proposal for the Edgewater redevelopment. The review presents relevant portions of the Comprehensive Plan. The review was not intended to be an exhaustive listing of every part of the Comprehensive Plan that might be applicable but rather a compilation of a number of the significant statements in the plan that relate to the current proposal. My understanding is that beginning in 2010 State law requires that development approvals be consistent with adopted comprehensive plans. I hope you will find this informative as you consider the proposal before you.

Review of the Madison Comprehensive Plan as it relates to the Edgewater redevelopment proposal.

The following review of the Madison Comprehensive Plan was completed to identify those portions of the plan which specifically relate to the current Edgewater proposal. The intent is to aid the reader in reviewing the current proposal in relation to the adopted comprehensive plan.

The Introduction to the Comprehensive Plan includes a list of *Key Recommendations*. The first recommendation listed notes that new developments should be compatible with the existing neighborhood.

“Balance redevelopment and infill development with the preservation of the unique character of Madison’s existing neighborhoods, focusing on such issues as requiring that the size and scale of new development enhances and is compatible with the established planned neighborhood character and density.” Vol. I page Into – 6, (emphasis added)

This recommendation is further defined in the section on *Historic and Cultural Resources*. The intent is to recognize and protect the architectural character within Historic Districts.

“Each district has a specific set of criteria against which all new construction, alterations and demolitions are reviewed to ensure that the essential character of these districts and the significant structures within them is maintained.” Vol. I page 8-2

These criteria are the specifics of the Mansion Hill Historic District that the Landmarks Commission found that the Edgewater proposal failed to meet when the Commission denied a Certificate of Appropriateness.

The chapter on *Land Use* states that Madison will encourage infill and higher density redevelopments and establishes policies to guide this redevelopment. Policy 4 identifies principles to guide all infill and redevelopment within the older neighborhoods.

“Redevelopment scale and density should be appropriate to redevelopment objectives defined in the applicable City plans and reasonably compatible with established neighborhood character ...” Vol. II page 2-22

The value of historic preservation is cited numerous times in the Comprehensive Plan. In particular the chapter on *Land Use* has a section on the Downtown noting this interest and citing historic preservation as a desirable downtown characteristic.

“The recent increased pace of redevelopment has created a corresponding interest in historic preservation and neighborhood conservation in at least portions of Madison’s oldest neighborhoods, such as Bassett, Mansion Hill, Old Market Place and First Settlement.”

Vol. II page 2-105

“Emphasis on historic preservation and neighborhood conservation as defined in City-adopted neighborhood, special area, and other special plans, such as historic preservation plans, and/or City zoning regulations and historic and urban design guidelines.” Vol. II page 2-106

The plan notes that the downtown area has a mix of uses and densities but identifies characteristics that unite certain sub districts of the Downtown.

“Although the range of uses and densities within the Downtown as a whole is very wide, it is made up of numerous relatively compact sub areas characterized by shared predominant land uses; development density; building height; scale and urban design; special amenity features; historic character; or other distinguishing attributes.” Vol. II page 2-107

The plan groups these downtown sub-districts into two categories; Mixed Use and Residential. Both the Langdon and the Mansion Hill sub-districts are classified as Residential. (Vol. II page 2-107) The Edgewater site is located at the east end of the Langdon sub-district boarding the Mansion Hill sub-district.

In the specific comments on the Langdon sub-district the plan notes that preservation and neighborhood conservation are issues that must be addressed as properties are redeveloped. There is also a specific section on **Building Height**.

“Two to 8 stories, with the tallest buildings in the State St. transition zone.” Vol. II page 2-114

The current Edgewater proposal is a 14 story building above the lake or a 10 story building above the plaza. The proposal tower extends more than 40’ above the 1940’s building.

The specific comments on the Mansion Hill sub-district reiterate that “because of the historic significance of this sub-district” historic preservation and consistency with established City plans and special area plans is required for any development or redevelopment. Regarding building height there is this specific statement:

“2 stories minimum, maximum established by underlying zoning” Vol. II page 2-115

The Comprehensive Plan includes **Objectives** and **Policies** that “provide the basic framework on which on which all land-use decisions, whether public or private, shall be based.” “An **objective** is a statement that describes a specific future condition to be attained. A **policy** is defined as a course of action or rule of conduct to be used to achieve the goals and objectives of the plan.”

Objective 51: Protect and enhance features and places within the community that are of architectural and historic significance.

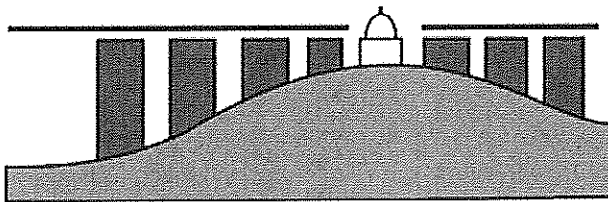
Policy 3: New development should create harmonious design relationships between older and newer buildings, particularly in older neighborhoods with an established character and buildings of historic or architectural interest and value. Vol. II page 2-45

It's interesting to note that the photo adjacent to Policy 3 in the plan is of the Quisling Clinic Apartments, a recent infill and redevelopment that enhanced the integrity of the Mansion Hill Historic District.

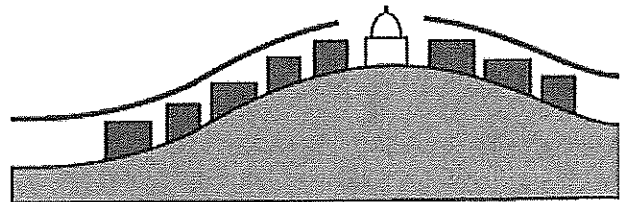
The plan also includes objectives relating to the form and height of buildings constructed within the Downtown.

Objective 50: Create a visually striking and dramatic Isthmus skyline, while at the same time protecting views of the Capitol.

Policy 2: Establish building height standards for the Downtown/Isthmus area that will result in a skyline that reflects and emphasizes the natural topography, with taller buildings on the high ground and lower buildings toward the lakeshores. Vol. II page 2-44



Skyline effect resulting from establishing maximum building heights relative to the base of the Capitol dome.



Skyline effect resulting from maximum building heights relative to the natural topography of the Isthmus

There are a series of Objectives and Policies for Established Neighborhoods. Objective 42 is to ensure that new development is compatible with the existing characteristics of the neighborhood. The policy is quite clear that the means to accomplish this do not include every proposal which might come forward.

Policy 2: Recognize that infill development is not inherently "good" simply because it is infill, or higher density because it is higher density. Where increased density is recommended, it is always only one among many community and neighborhood objectives, and other factors such as architectural character and scale (including building height, size, placement and spacing) block and street patterns, landscaping and traffic generation are also important.

Vol. II page 2-35

Included in the plan are a series of *Objectives and Policies for the Natural Environment*. This section relates our built environment to the natural assets of the city, in particular to our lakes.

Objective 56: Ensure that views and vistas of significant value, such as views of the lakes, open space or the Capitol, are treated sensitively by new structures or potential visual obstructions.

Policy 2: Protect Madison's shorelines from incursions by overly dense development that will degrade views to and from the lakes, rivers and creeks.

Objective 57: Preserve natural areas with outstanding ecological and aesthetic qualities.

Policy 1: Adopt and enforce zoning code, land division ordinance and other regulations that protect from development environmental corridors and the natural resource features of which they are comprised, such as lakeshores, hilltops, and significant wooded areas, for example.

Commentary on Edgewater UDC 1/20/10 and 2/3/10 Submissions and Handout

DESIGN ISSUES

The mass of the complex is significantly out of scale with the neighborhood context. *The mass needs to be reduced or at least the tower moved eastward.*

The placement of the tower diminishes the view corridor from the Capitol to the Lake. The claim that shifting the tower to the other side of the plinth would not allow windows in the north wall is simply not true (see International Building Code Table 705.8). *The tower should shift eastward to create a significant setback from Wisconsin Avenue.*

The connection of the public space to the lake at this spectacular setting remains much too weak.

- Only one stairway serves 47,240 ft.² of claimed public space. *An additional stairway or elevator should be added at the northeast corner.*
- There is a significant lack of public amenities lakeside. In the current plan, the only public space lakeside is the pathway that currently exists. *The portion of land between the new building and the pathway on the new land purchased from NGL should have public seating and other amenities.*
- Considering the significance of the location, the placement and form of the tower have virtually no relationship to the hillside setting and minimum aesthetic connection to the lake. *The form of the tower needs reconfiguration.*
- The configuration of the auto court cuts off any visual connection between Wisconsin Avenue and the public plaza. *The auto court needs reconfiguration.*

The project documentation merely reiterates legal requirements and empty platitudes about sustainability. The presence of a high intensity usage so close to the lake demands extraordinary protection of lake water. *A project of this scale and importance must make a strong positive statement on sustainability issues.*

The accessible path from the top of the grand stairway to its bottom is over 800 feet, two city blocks. *If this is truly a connection to the lake for the public, the accessible pathway needs to be significantly shortened.*

The current configuration of the entrance to the parking ramp creates a significant bottleneck. All traffic entering and leaving the parking ramp across each other's pathway at a critical stage in the and maneuvering area. Visibility of vehicles leaving the ramp is especially impaired. *The auto court needs reconfiguration.* (see "PARKING RAMP ENTRANCE ILLUSTRATION" at the end of this document)

Commentary on Edgewater UDC 1/20/10 and 2/3/10 Submissions and Handout

MISSING DOCUMENTATION

- Details and clear information on night lighting, residential condominiums, and bike racks; no bike racks are located anywhere in the plans. (requested in minutes of UDC September 2, 2009 meeting)
- Report from City of Madison Traffic Engineering on traffic and parking impact on the neighborhood (requested in minutes of UDC meeting November 4, 2009)
- Information on demolition of the top of the asymmetrical tower of the original Edgewater building (see 4.0 page 6 of the handout of the 1/20/2010 meeting)
- A clear explanation of the general terms of the management agreement in regards to public usage of the space shown as public, hours of operation, etc.

MISLEADING INFORMATION

These documents continue to be riddled with irrelevant information, exaggerated claims, and outright misinformation. The distorted stairway width and the “before and after” lake views were admitted to be inaccurate by Mr. Manfredi in front of the Landmarks Commission, yet they have been repeatedly shown since then. At the same time, the Hammes Company has no problem presenting us with a constant stream of new information. The public and commissioners reviewing these documents deserve a clear and honest representation of the actuality of the project.

- The rendering showing the distorted width of the stairway is shown 10 times in the submissions and handout.
- The photo and rendering comparison showing the distorted “before and after” lake views is shown twice in the submissions and handout.
- The Langdon and Wisconsin Avenue lake view from the viewpoint 19 feet above the sidewalk, which will never be seen by a human being, is shown 17 times in the submissions and handout.
- Twice the project is claimed to be in the OR zoning classification, when in fact 61% of it is in the R6H zoning classification. The map on page 12 of the 1/13/2010 submission goes so far as to eliminate showing the entire portion of the R6H property.
- Page 23 of the 1/13/2010 submission grossly misrepresents heights of buildings, as it equates elevation above city datum with building height. This results in distortion such as claiming Kennedy Manor to be 135 feet high, when in fact it is half of that.

Commentary on Edgewater UDC 1/20/10 and 2/3/10 Submissions and Handout

- Page 78 of the 1/13/2010 submission grossly misrepresents streetfront setbacks by equating the street curbs with lot lines. This results in distortion such as showing the tower to have a 42'5" setback, when in fact it is approximately 1 foot or less.
- The pier, which has had none of the requested verification from the DNR and according to DNR documentation appears to be "dead in the water" (sorry, I couldn't resist), is shown 57 times. See the following email:

From: "Fred Mohs" <fred@mmwp-law.com>
Date: January 22, 2010 12:18:08 PM CST
To: <bmurphy@cityofmadison.com>
Subject: Edgewater Pier

Brad:

I talked to Kami Peterson at the DNR at 3:30 p.m. on January 18, 2010, following up on the discussion of the proposed Edgewater pier at the UDC meeting last night. Kami told me that Sue Correll, an attorney with the DNR, had contacted Hammes after the rendering of the proposed Edgewater was published in the paper. Eventually, she was able to succeed in having them come out for a meeting which took place sometime this September with Sue, Megan, and Sue Josheff, the Lower Rock River Basin leader. Two subjects were covered with Bob and Amy.

The first subject was that although everyone knew that the existing dining pier was non-conforming, that now was the time to bring everything into compliance. They were told that the platform is not permissible under any circumstances. It does not meet the objective of a pier which is the loading and unloading of boats.

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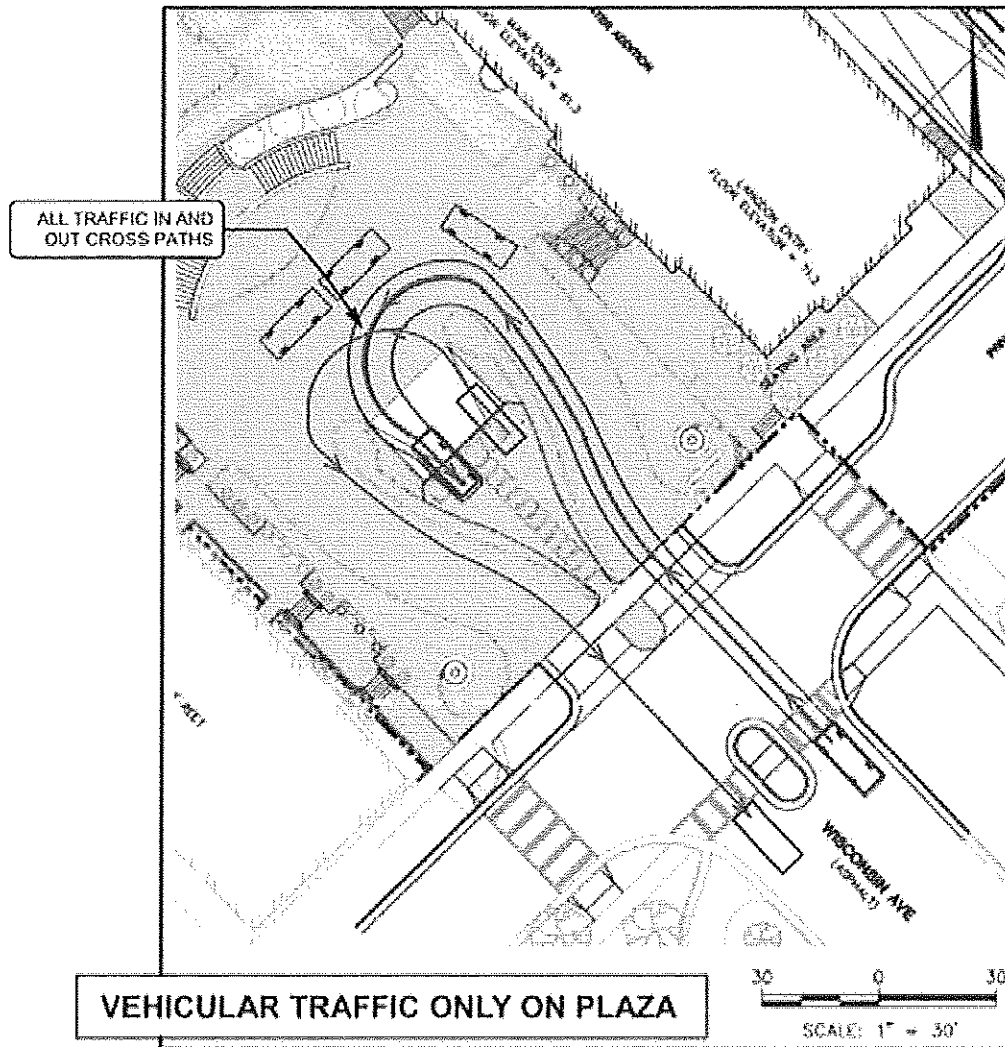
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Sincerely,
Frederic E. Mohs
Mohs, MacDonald, Widder & Paradise
20 North Carroll Street
Madison, WI 53703
Phone: (608)256-1978
Fax: (608)257-1106

From: "Fred Mohs" <fred@mmwp-law.com>
Date: January 22, 2010 12:18:08 PM CST
To: <bmurphy@cityofmadison.com>
Subject: Edgewater Pier

Commentary on Edgewater UDC 1/20/10 and 2/3/10 Submissions and Handout

PARKING RAMP ENTRANCE ILLUSTRATION

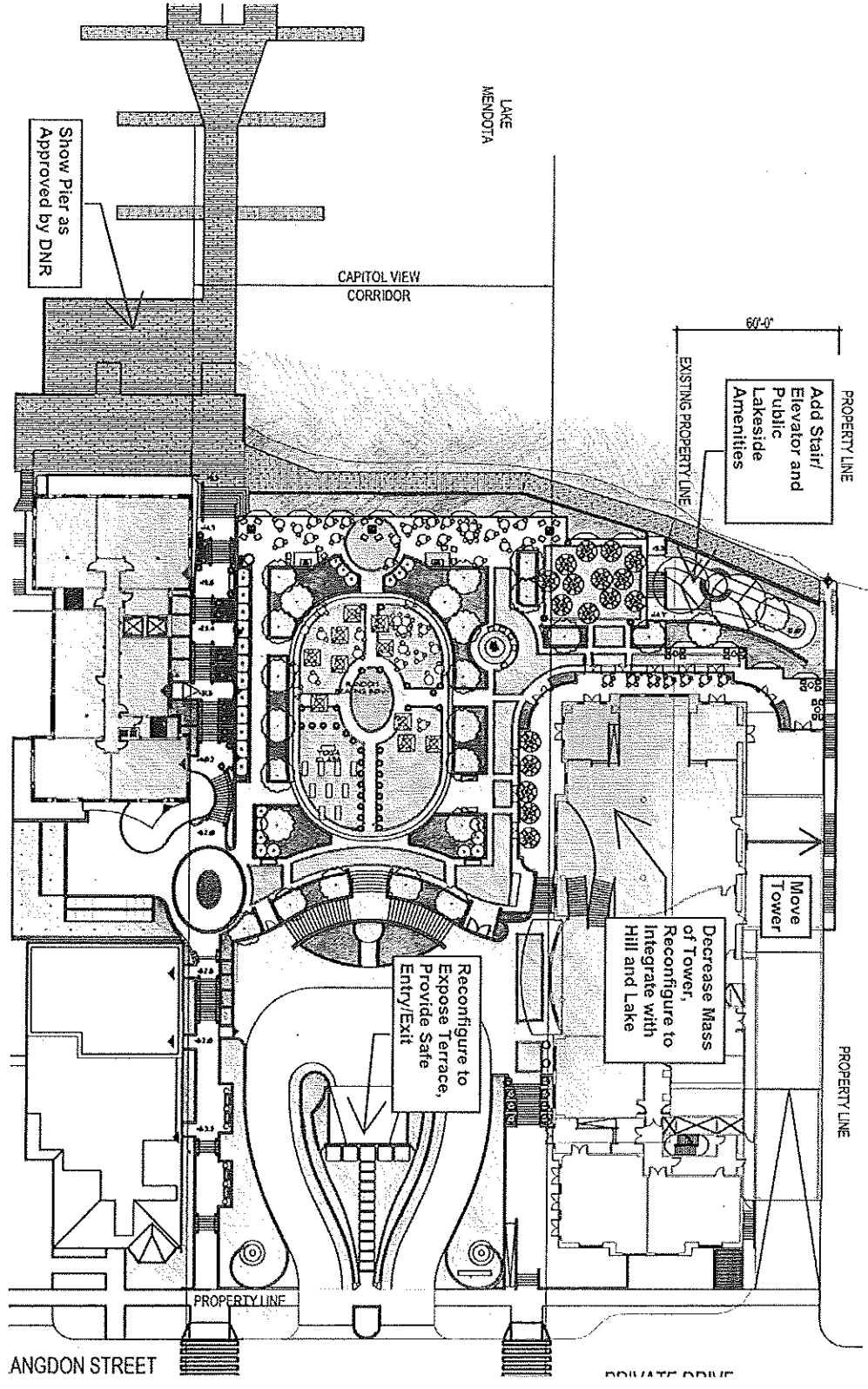


Respectfully submitted,

John Martens
4118 Hegg Ave
Madison, WI 53716



A PUBLIC PLACE



CONCEPT DESIGN

Memo

From: James McFadden
Five North Broom Street
Madison, Wisconsin 53703
608 251 1350



To: Bridget Maniaci
210 Martin Luther King, Jr. Blvd.
Room 417
Madison, WI 53703

Date: December 2, 2009

Subject: Edgewater Hotel Redevelopment

First of all I am sorry to have not contacted you prior to the Landmarks Commission meeting. My original intention was to present at the Urban Design Commission which would have given me time to meet with you but unfortunately my schedule changed taking me out of town Wednesday causing me to move everything forward. I recognize this feeble explanation is no excuse and I remain contrite.

I am admittedly ambivalent on this development, as it will result in the loss of downtown's last remaining natural open space, the privately owned and maintained public park provided by National Guardian Life. This is the park where our daughter and I would kick the soccer ball around in the summer and sled every winter. My neighborhood and your neighborhood will be irretrievably diminished and it will be a less enjoyable place to live

I am further disquieted by the extravagant over the top hyperbolic claims as to the benefits that will accrue from what is when all is said and done not a very large development. What is being proposed after all is the equivalent of say ten Mansion Hill Inns. For all the hoopla and wishful thinking the actual economic impact on the community will be barely discernable.

That being said recognizing that NGL owns the park, which they can dispose of it as they wish and some modest but real benefits may accrue to the City at large, I cannot in good conscience oppose the expansion of the Edgewater and have purposefully absented myself from discussions on the mater.

Good conscience now provokes me as both a citizen and architect to point out in the clearest possible fashion that is possible to have Mr. Dunn fully realize his ambitions for a revived Edgewater with a simpler, smaller, more cost effective, more functional and considerably less intrusive expansion. There is a design solution to what is a design problem that will simultaneously satisfy the needs of the development, the neighborhood and the City.

This development as with many another is awash with groundless claims and baseless criticisms that generate juicy media opportunities and little else. My review of the Mr. Dunn's plans as proposed revealed inefficiencies that resulted in unnecessary bulk. Rather than join the cacophony and shout my finding I have developed and present to you as quietly as possible a well thought out alternative arrangement that accommodates all the required program space in a package that would fit more comfortably in the neighborhood.

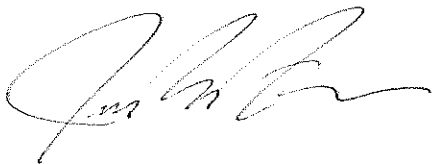
You have in your hands a design solution to a design problem.

I do not ask that you take me at my word but I do ask that you pause, reflect and request staff to obtain a second, a third or even a fourth opinion from independent professionals to confirm that it is indeed possible to realize all that is hoped for with an expansion that would meet requirements of the Landmarks ordinance.

It is time to stand down and honor Mr. Dunn by giving his plans the respectful peer review they deserve. Politicizing what should be a very deliberate rational evaluation will needlessly jeopardize the redevelopment of the Edgewater while unnecessarily damaging the review process that has served the City well for generations.

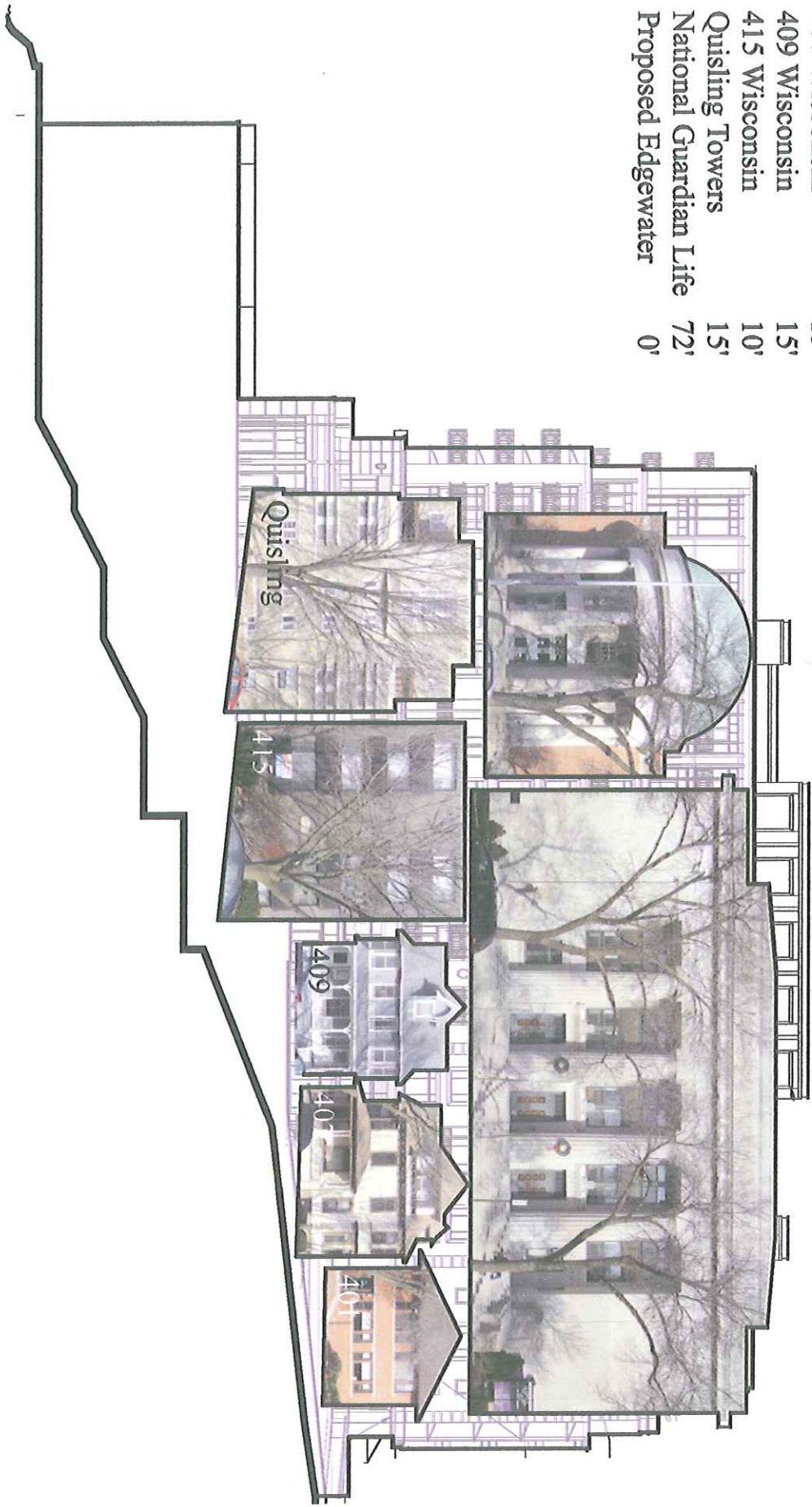
There is no need or call for brinksmanship. This is a time instead for calm and wise stewardship.

Let us hope that we can all rise to the occasion.

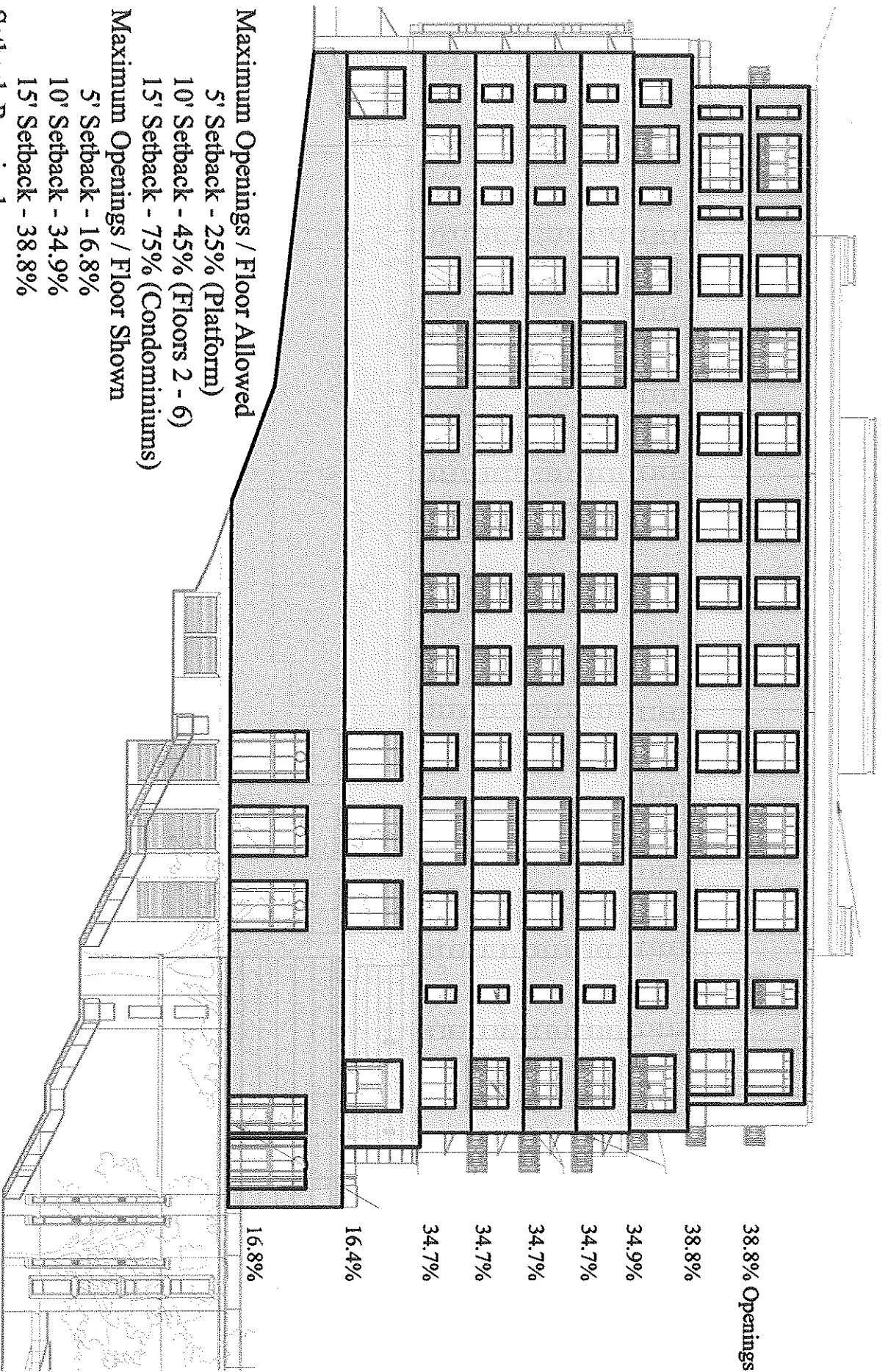
A handwritten signature in black ink, appearing to read 'James McFadden', with a stylized flourish at the end.

James McFadden AIA, NCARB
Architect

| Wisconsin Avenue Setbacks | |
|---------------------------|-----|
| The Masonic Temple | 18' |
| Christ Scientist | 15' |
| 401 Wisconsin | 8' |
| 407 Wisconsin | 15' |
| 409 Wisconsin | 15' |
| 415 Wisconsin | 10' |
| Quisling Towers | 15' |
| National Guardian Life | 72' |
| Proposed Edgewater | 0' |



Wisconsin Avenue Facade Comparison @ 1" = 30'
 The Masonic Temple - Quisling Towers
 December 9, 2009



Maximum Openings / Floor Allowed

- 5' Setback - 25% (Platform)
- 10' Setback - 45% (Floors 2 - 6)
- 15' Setback - 75% (Condominiums)

Maximum Openings / Floor Shown

- 5' Setback - 16.8%
- 10' Setback - 34.9%
- 15' Setback - 38.8%

Setback Required

- Platform - 5'
- Tower - 10'

(Table 705.8 "2009 International Building Code")

TABLE 705.8
 MAXIMUM AREA OF EXTERIOR WALL OPENINGS BASED ON FIRE SEPARATION DISTANCE AND DEGREE OF OPENING PROTECTION

| FIRE SEPARATION DISTANCE (feet) | DEGREE OF OPENING PROTECTION | ALLOWABLE AREA ^a |
|------------------------------------|---|-----------------------------|
| 0 to less than 3 ^{b, c} | Unprotected, Nonsprinklered (UP, NS) | Not Permitted |
| | Unprotected, Sprinklered (UP, S) ⁱ | Not Permitted |
| | Protected (P) | Not Permitted |
| 3 to less than 5 ^{d, e} | Unprotected, Nonsprinklered (UP, NS) | Not Permitted |
| | Unprotected, Sprinklered (UP, S) ⁱ | 15% |
| | Protected (P) | 15% |
| 5 to less than 10 ^{f, g} | Unprotected, Nonsprinklered (UP, NS) | 10% ^h |
| | Unprotected, Sprinklered (UP, S) ⁱ | 25% |
| | Protected (P) | 25% |
| 10 to less than 15 ^{f, g} | Unprotected, Nonsprinklered (UP, NS) | 15% ^h |
| | Unprotected, Sprinklered (UP, S) ⁱ | 45% |
| | Protected (P) | 45% |
| 15 to less than 20 ^{f, g} | Unprotected, Nonsprinklered (UP, NS) | 25% |
| | Unprotected, Sprinklered (UP, S) ⁱ | 75% |
| | Protected (P) | 75% |
| 20 to less than 25 ^{f, g} | Unprotected, Nonsprinklered (UP, NS) | 45% |
| | Unprotected, Sprinklered (UP, S) ⁱ | No Limit |
| | Protected (P) | No Limit |
| 25 to less than 30 ^{f, g} | Unprotected, Nonsprinklered (UP, NS) | 70% |
| | Unprotected, Sprinklered (UP, S) ⁱ | No Limit |
| | Protected (P) | No Limit |
| 30 or greater | Unprotected, Nonsprinklered (UP, NS) | No Limit |
| | Unprotected, Sprinklered (UP, S) ⁱ | Not Required |
| | Protected (P) | Not Required |

For SI: 1 foot = 304.8 mm.

UP, NS = Unprotected openings in buildings not equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

UP, S = Unprotected openings in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

P = Openings protected with an opening protective assembly in accordance with Section 705.8.2.

a. Values indicated are the percentage of the area of the exterior wall, per story.

b. For the requirements for fire walls of buildings with differing heights, see Section 706.6.1.

c. For openings in a fire wall for buildings on the same lot, see Section 706.8.

d. The maximum percentage of unprotected and protected openings shall be 25 percent for Group R-3 occupancies.

e. Unprotected openings shall not be permitted for openings with a fire separation distance of less than 15 feet for Group H-2 and H-3 occupancies.

f. The area of unprotected and protected openings shall not be limited for Group R-3 occupancies, with a fire separation distance of 5 feet or greater.

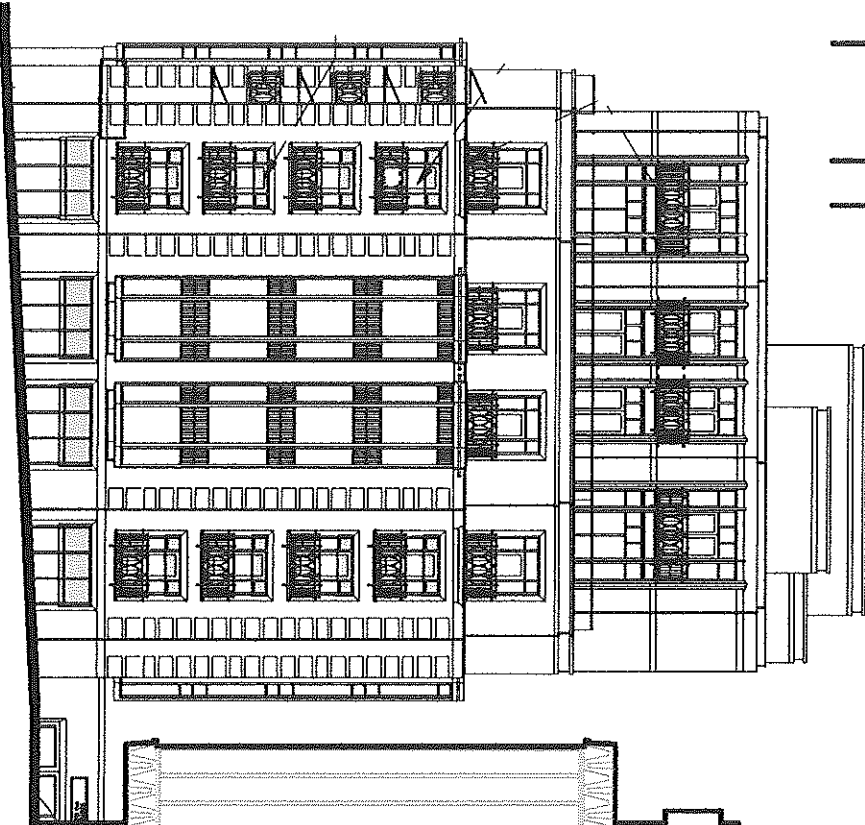
g. The area of openings in an open parking structure with a fire separation distance of 10 feet or greater shall not be limited.

h. Includes buildings accessory to Group R-3.

i. Not applicable to Group H-1, H-2 and H-3 occupancies.

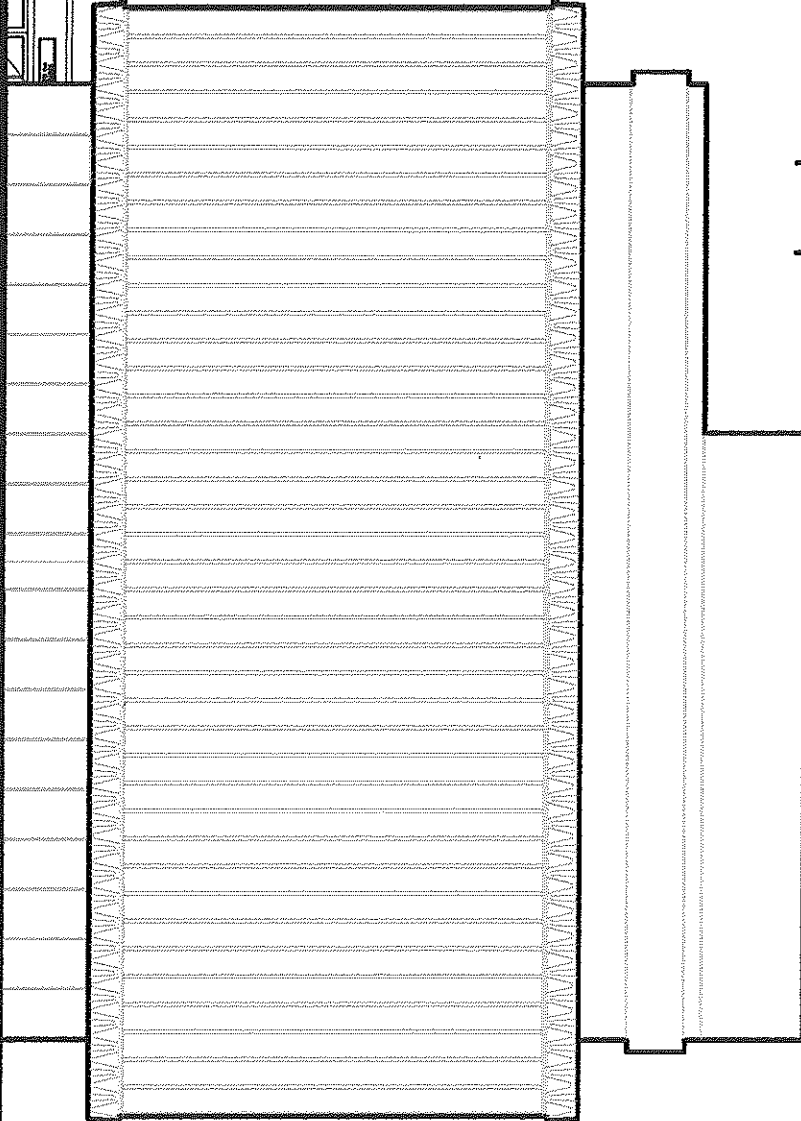
Property Line

Manchester Place
Masonic Temple

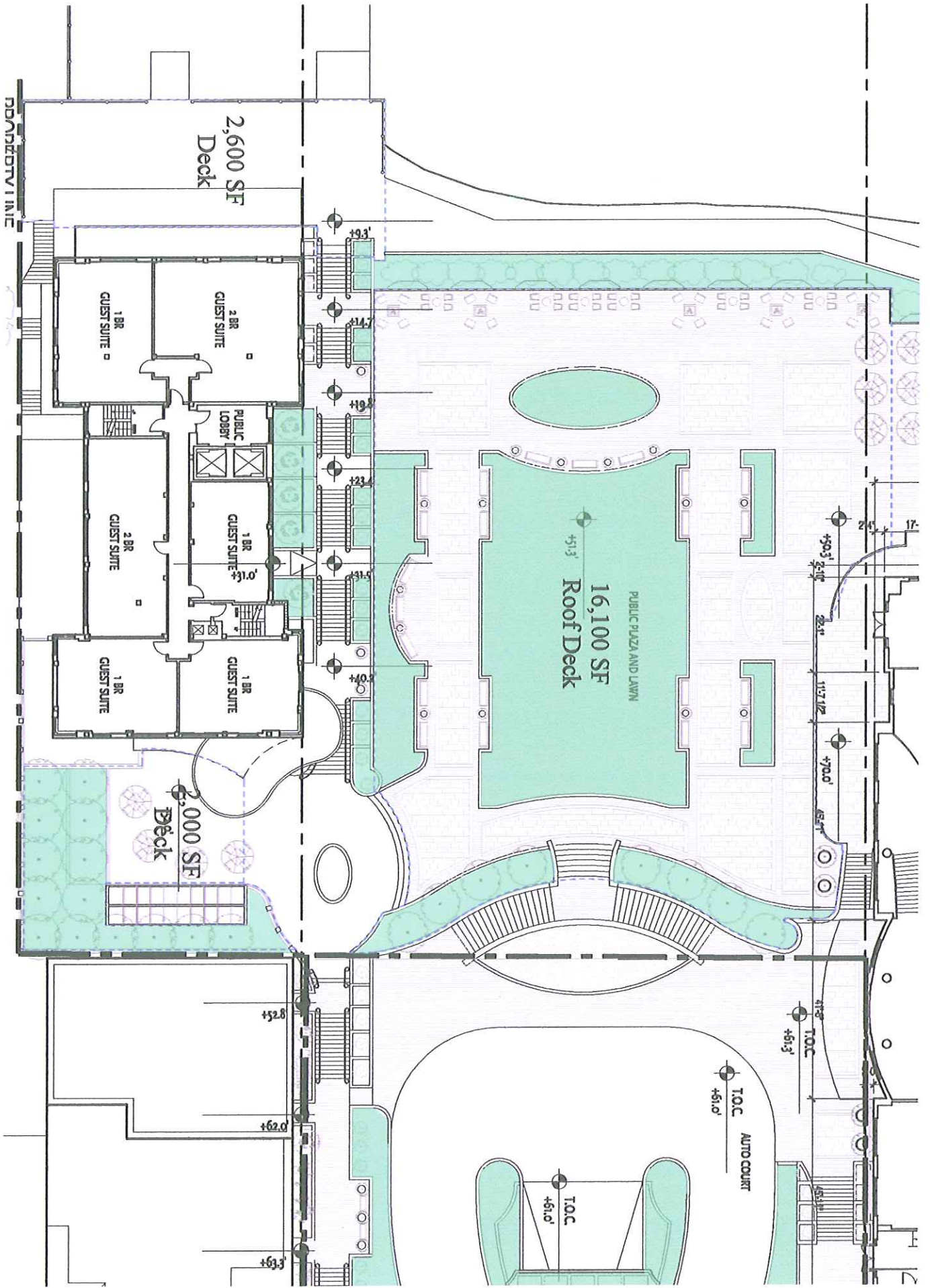


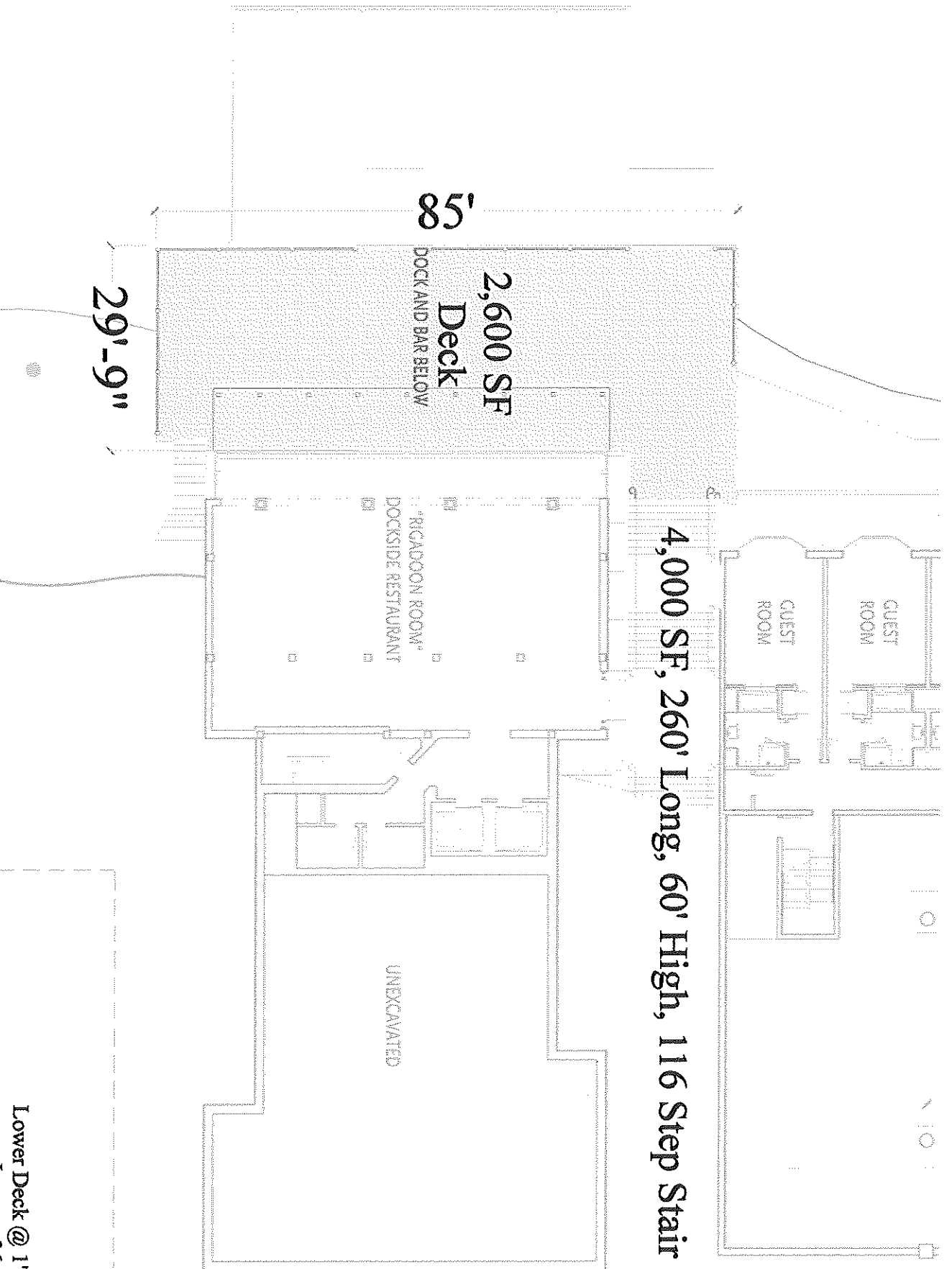
Required Setback

Property Line



Gilman Street Elevation @ 1 = 20'
January 25, 2010



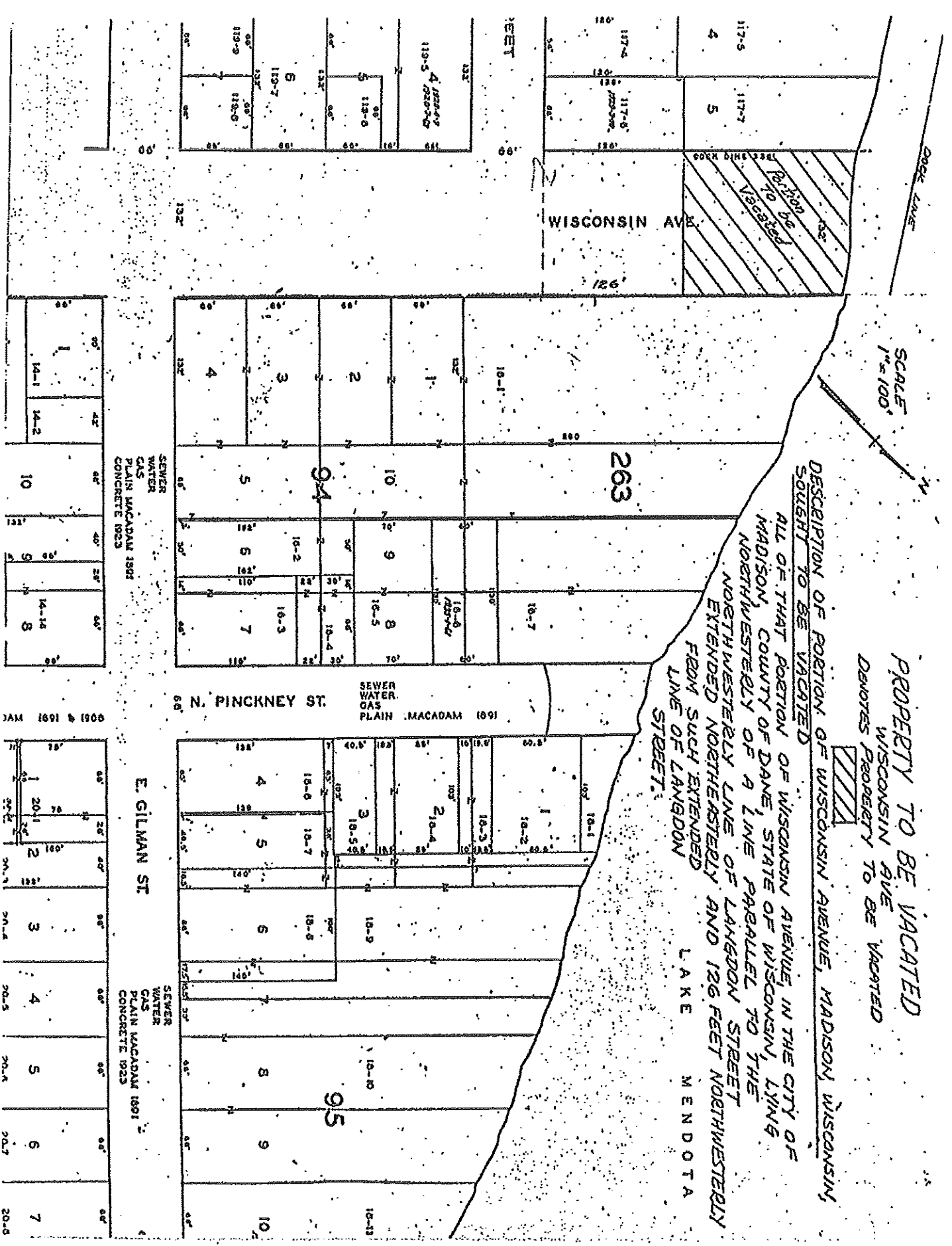


Lower Deck @ 1" = 20'
 January 26, 2010

PROPERTY TO BE VACATED
 WISCONSIN AVE
 DEMOTES PROPERTY TO BE VACATED

DESCRIPTION OF PORTION OF WISCONSIN AVENUE, MADISON, WISCONSIN,
 SOUGHT TO BE VACATED
 ALL OF THAT PORTION OF WISCONSIN AVENUE, IN THE CITY OF
 MADISON, COUNTY OF DANE, STATE OF WISCONSIN, LYING
 NORTHWESTERLY OF A LINE PARALLEL TO THE
 NORTHWESTERLY LINE OF LANGDON STREET
 EXTENDED NORTHWESTERLY AND 126 FEET NORTHWESTERLY
 FROM SUCH EXTENDED
 LINE OF LANGDON
 STREET.
 LAKE MENDOTA

SCALE
 1" = 100'



WISCONSIN AVE

N. PINCKNEY ST.

E. GILMAN ST.

263

94

95

SEWER
 WATER
 GAS
 PLAIN MACADAM 1891
 CONCRETE 1923

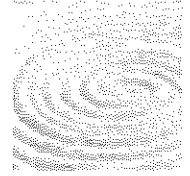
SEWER
 WATER
 GAS
 PLAIN MACADAM 1891

SEWER
 WATER
 GAS
 PLAIN MACADAM 1891
 CONCRETE 1923

| | |
|-------|-------|
| 14-1 | 14-2 |
| 10 | 10 |
| 9 | 8 |
| 14-1a | 14-1b |

| | | | | | | |
|-------|-------|-------|-------|-------|-------|-------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 15-1 | 15-2 | 15-3 | 15-4 | 15-5 | 15-6 | 15-7 |
| 15-8 | 15-9 | 15-10 | 15-11 | 15-12 | 15-13 | 15-14 |
| 15-15 | 15-16 | 15-17 | 15-18 | 15-19 | 15-20 | 15-21 |

From: James McFadden <mcfadden@mailbag.com>
Subject: **UDC / Edgewater Information**
Date: January 25, 2010 5:15:43 PM CST
To: district6@cityofmadison.com
Cc: Al Martin <amartin@cityofmadison.com>
Bcc: Susi Voeltz <susi@mailbag.com>
▶ 1 Attachment, 3.9 MB



Marsha,

You asked for but were not shown a south elevation of the proposed Edgewater tower at UDC.

I would presume that the facade will be shown at the next meeting but I expect it will not be shown in context.

The attached shows the proposed building from Gilman Street and includes National Guardian Life as well as the front and rear property lines and the setback lines of Manchester Place and the Masonic Temples to the west and the building code mandated setback to the east.

As is apparent the proposed tower is entirely within the front yard setback of National Guardian Life. Furthermore it is the only building along the 2, 3, 4 and 500 blocks of Wisconsin Avenue to extend to the right of way.

At UDC the architect stated that it was necessary to push the building this far forward so as to comply with building code regulations. This is simply not true. As is apparent in the final two pages attached the code requires a building with this portion of openings be set back from a property line 10'. There is no functional or regulatory reason that the building can not be set back thirty feet or more

It is difficult to conceive of an urban design issue of greater importance than the preservation of the Wisconsin Avenue view corridor. The visual link between the two lakes is "the" reason that the State's Capitol is where it is and why we are here.

The Wisconsin Avenue corridor was laid out in 1836 a full ten years prior to the incorporation of the Village of Madison and has been held in trust by succeeding

generations over the course of the 174 subsequent years.

Three churches and a temple, Central High (MATC), and the Quisling clinic and apartment are all set back from Wisconsin Avenue, The City, the County and the Federal governments all had the decency and good sense to set their buildings comfortably back from what is now Martin Luther King Boulevard.

Why make an exception now for what is essentially an ungainly 83 room addition to a commercial property?

The rush to judgement needs to be resisted and the location of the proposed addition on the site and its relation to its urban context needs to be thoroughly examined.

Good luck and keep up the good fight.

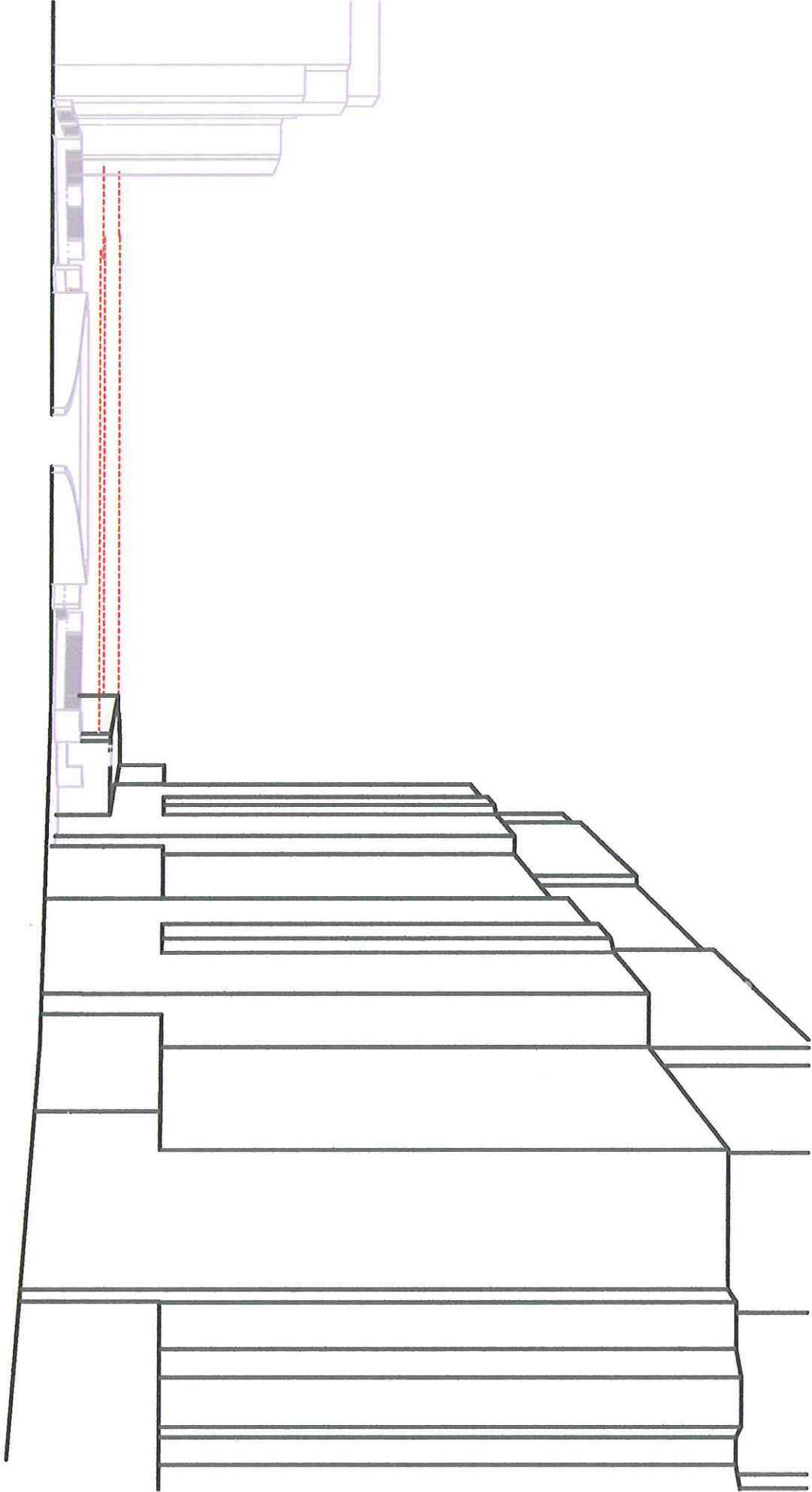
James

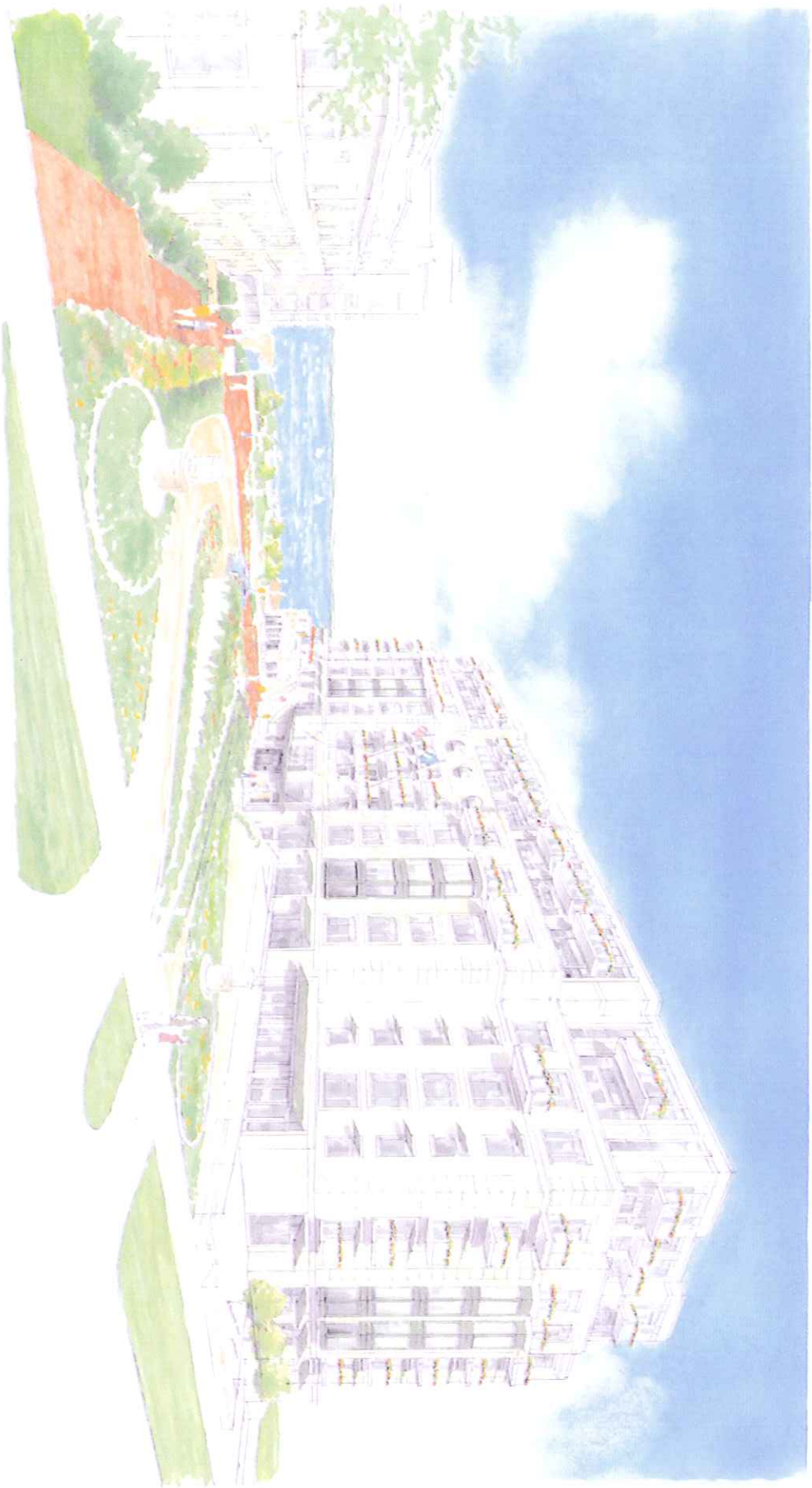


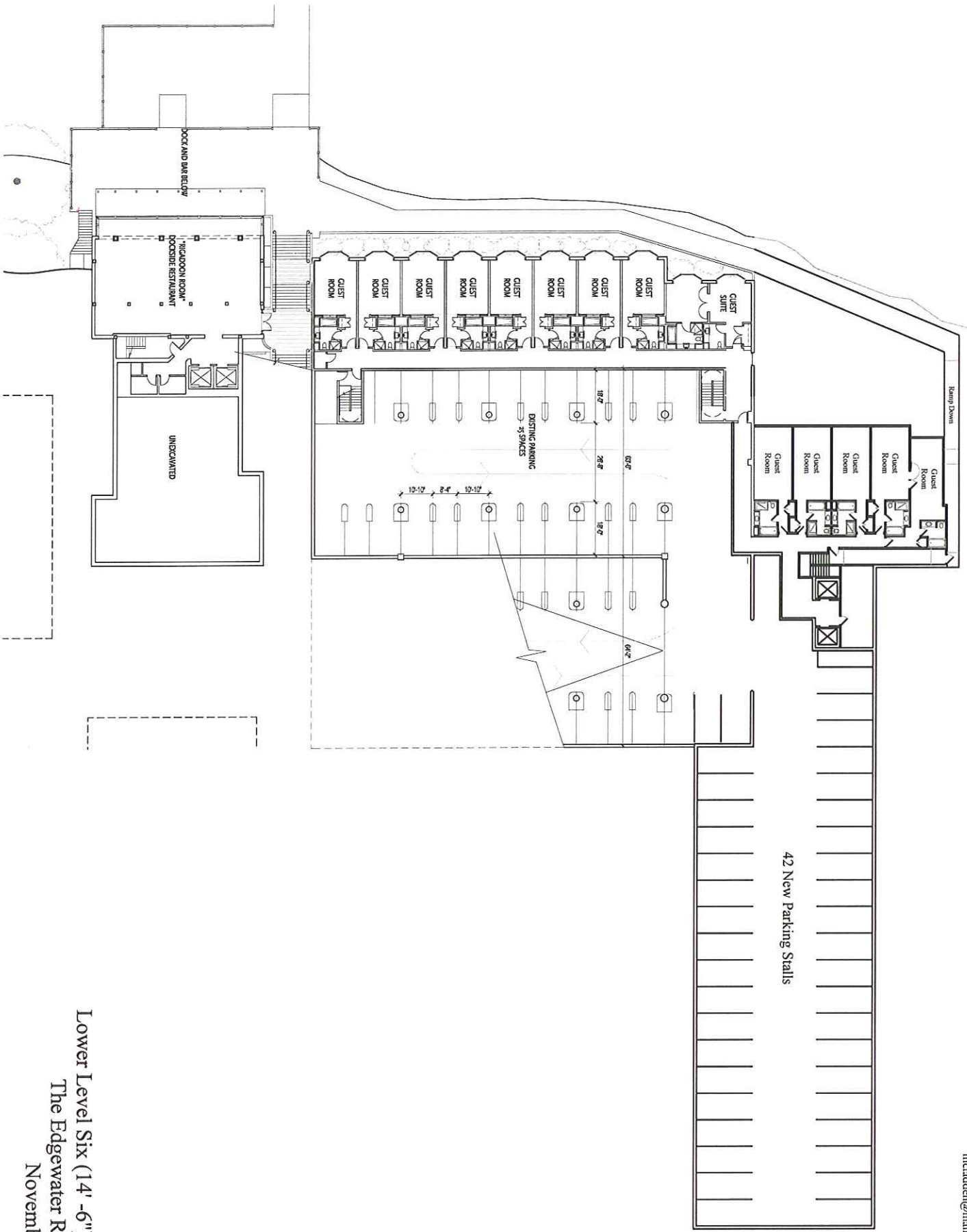
[South & East....pdf \(3.9 MB\)](#)

James McFadden, AIA
McFadden & Company
Five North Broom
Madison, Wisconsin 53703
608.251.1350 Voice

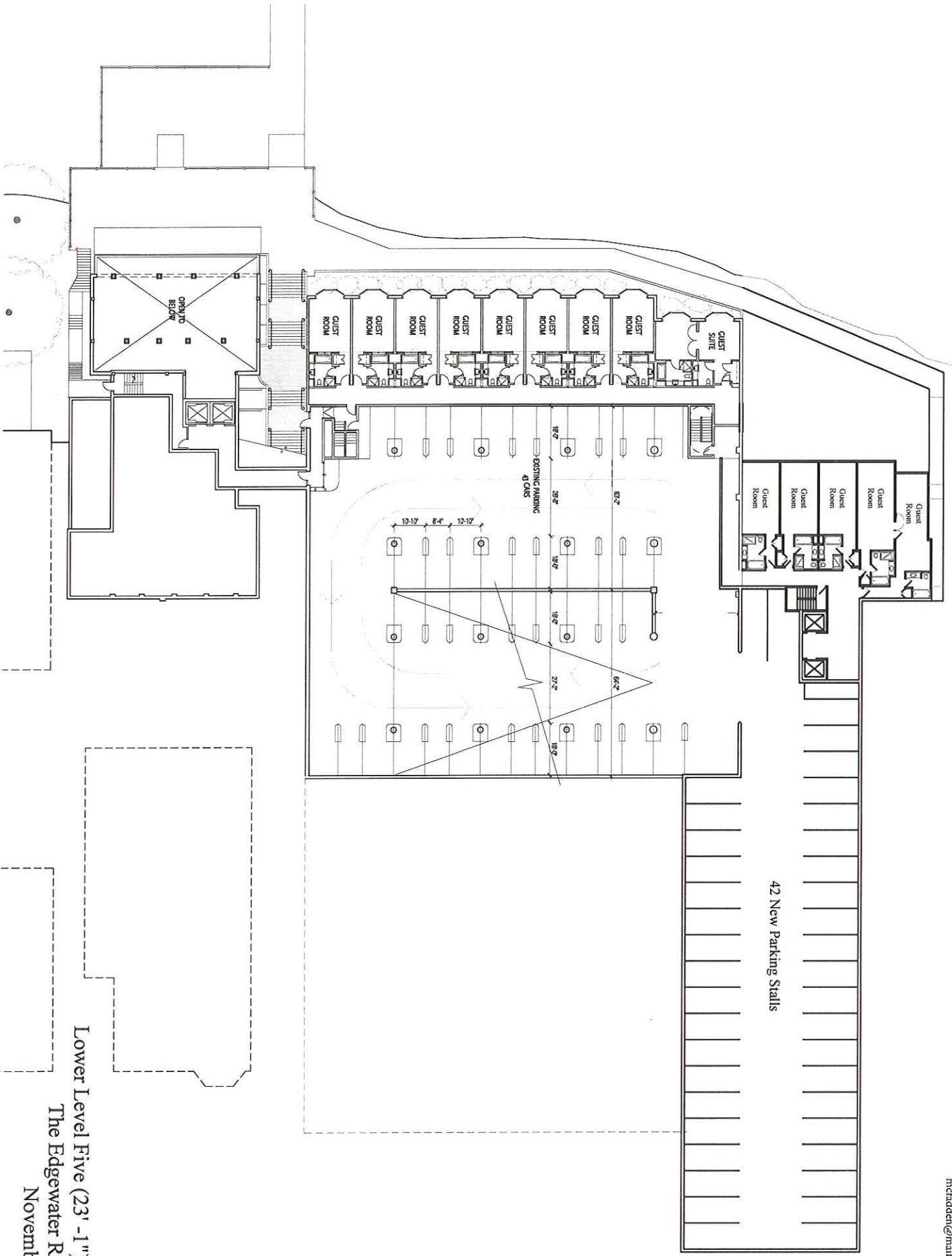




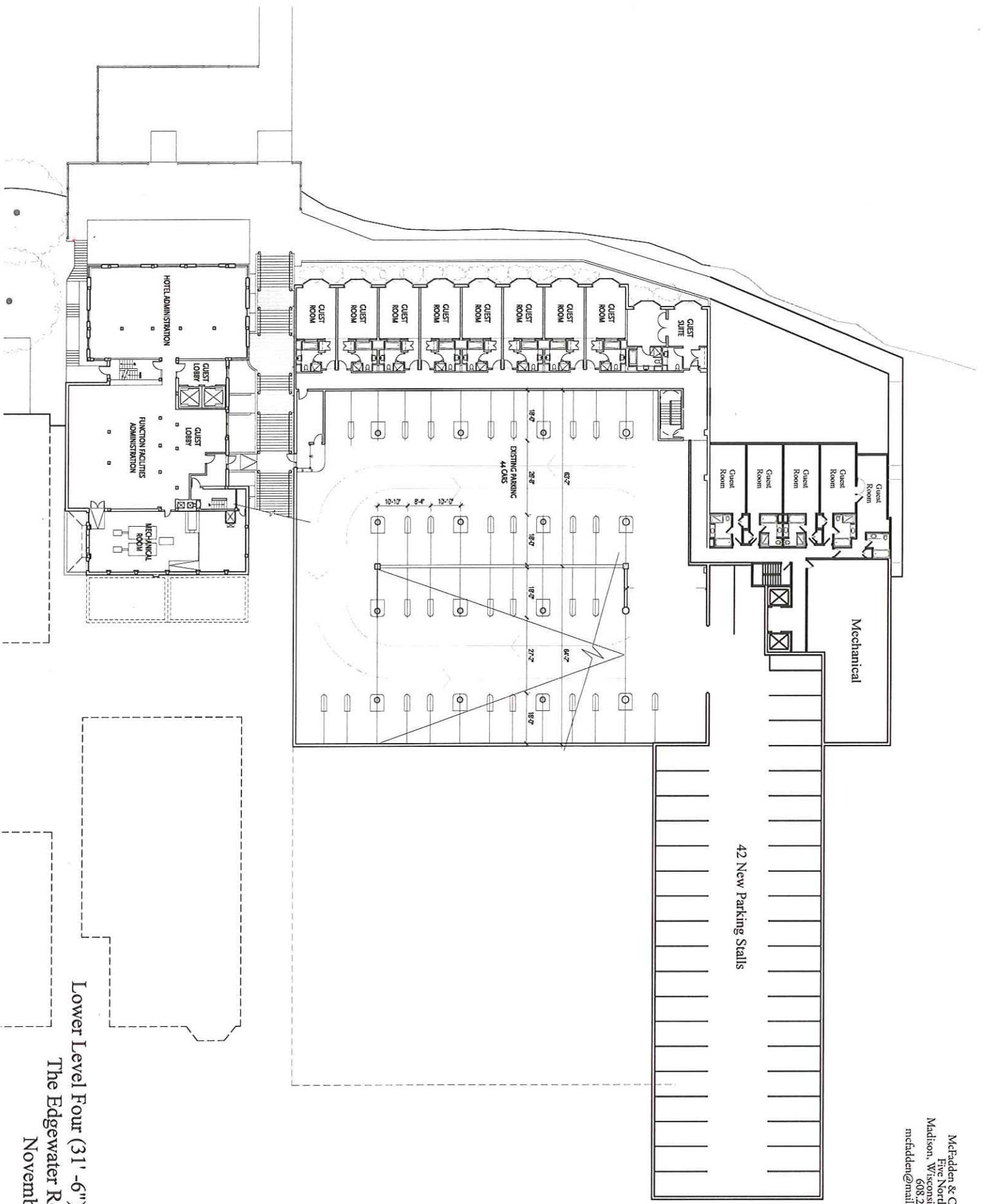




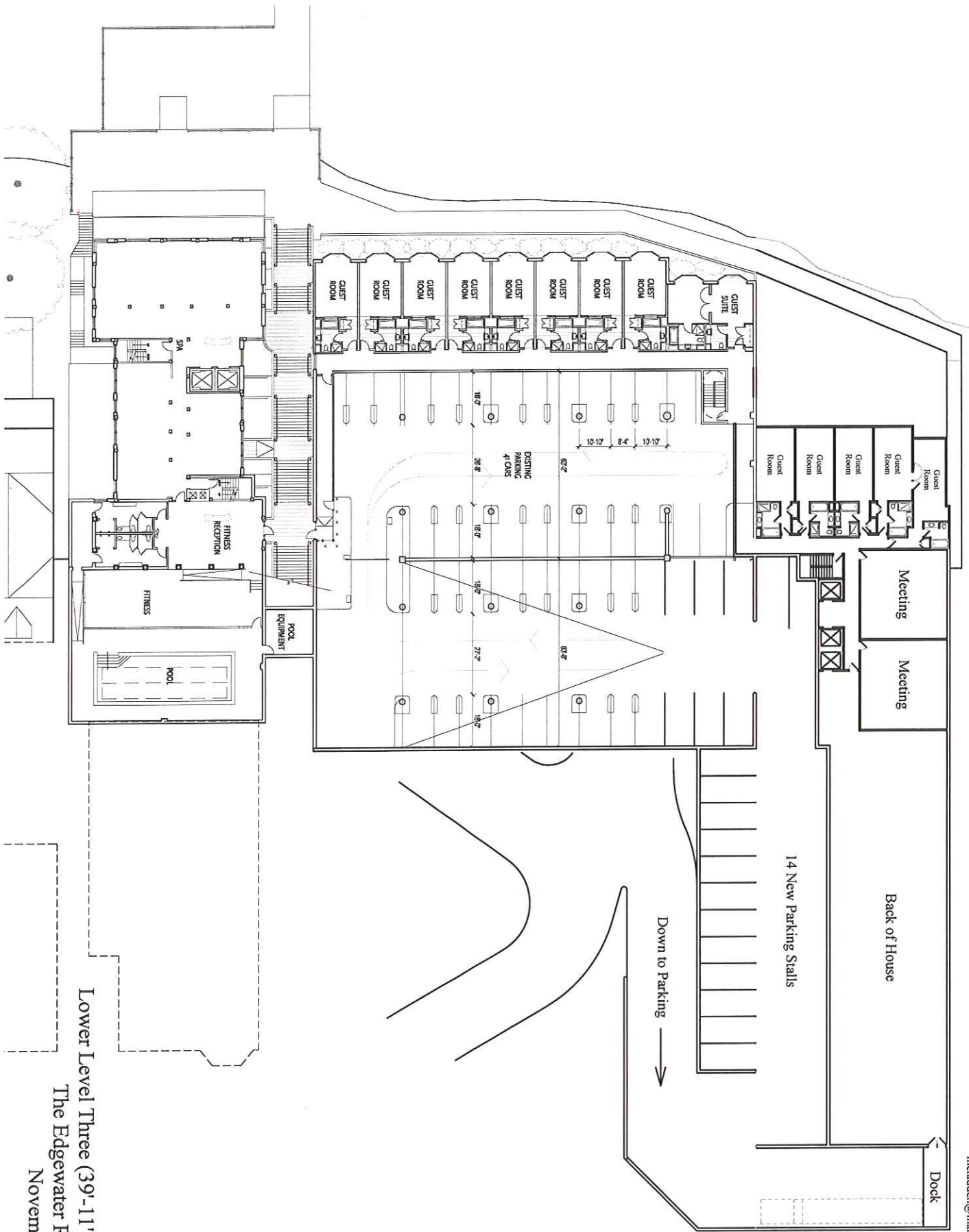
Lower Level Six (14' -6") @ 1" = 20'
 The Edgewater Reconsidered
 November 30, 2009



Lower Level Five (23' - 1") @ 1" = 20'
 The Edgewater Reconsidered
 November 30, 2009

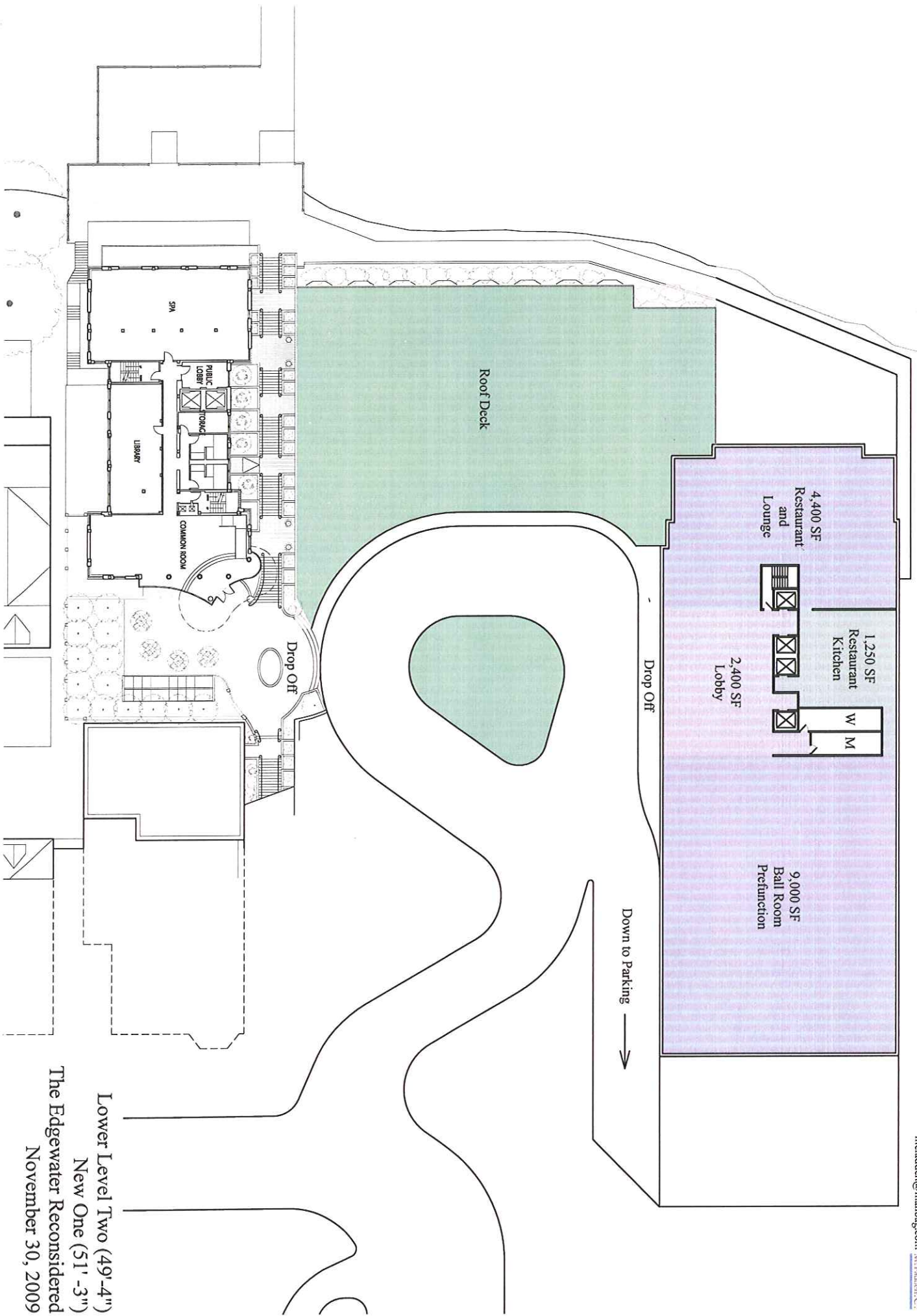


Lower Level Four (31' - 6") @ 1" = 20'
 The Edgewater Reconsidered
 November 30, 2009

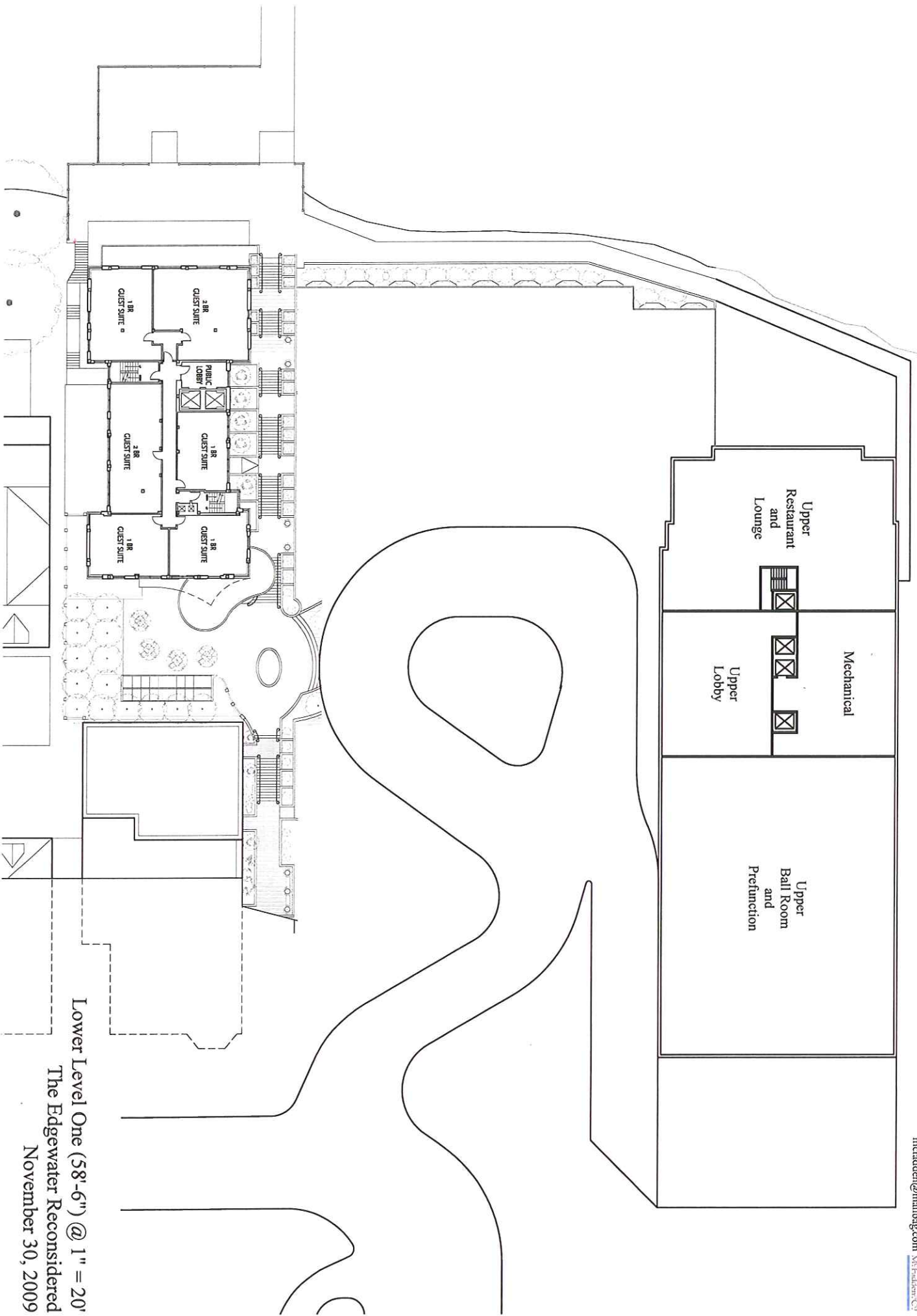


Lower Level Three (39'-11") @ 1" = 20'
 The Edgewater Reconsidered
 November 30, 2009





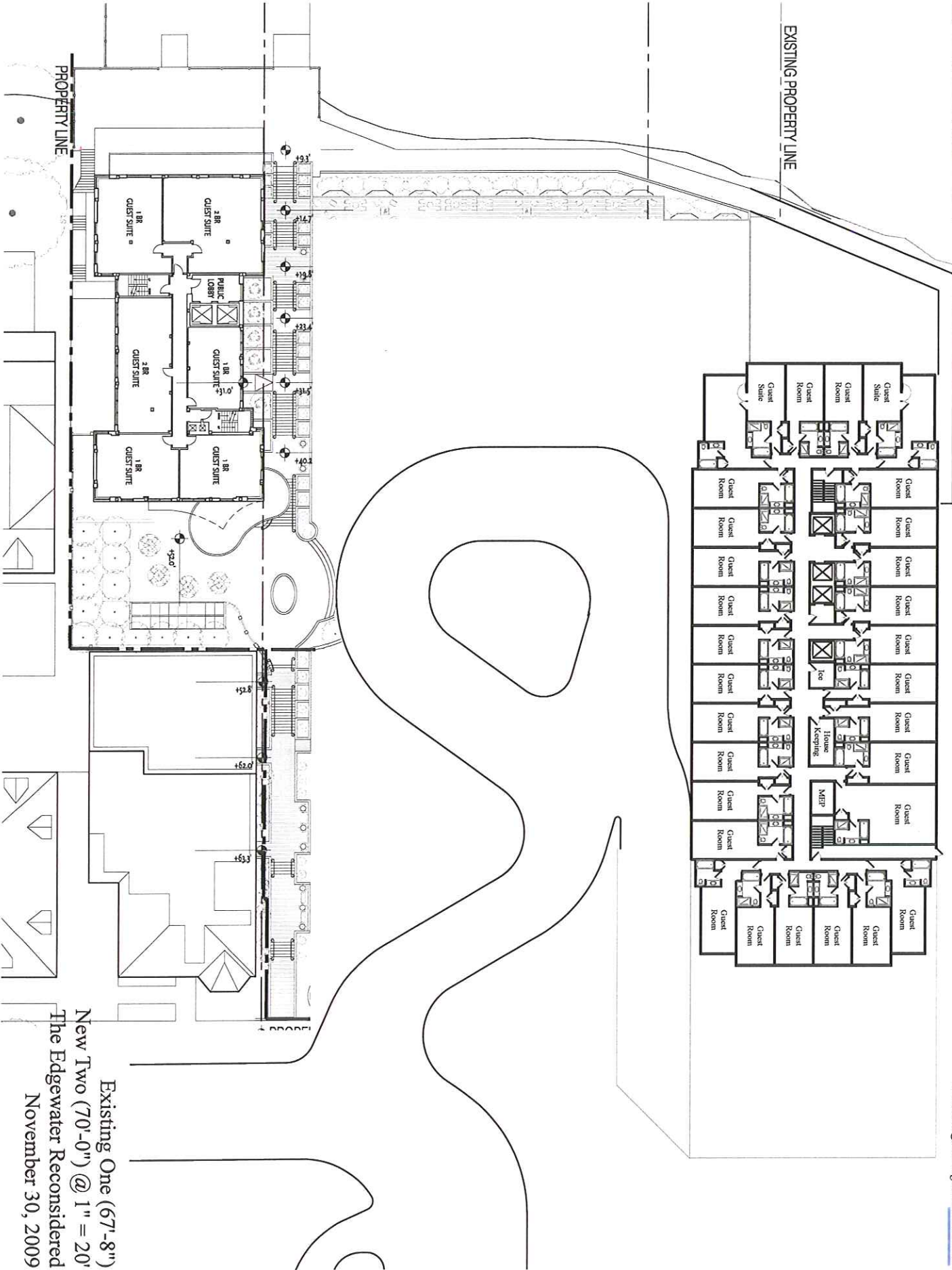
Lower Level Two (49'-4")
 New One (51' -3")
 The Edgewater Reconsidered
 November 30, 2009



Lower Level One (58'-6") @ 1" = 20'
 The Edgewater Reconsidered
 November 30, 2009

PROPERTY LINE

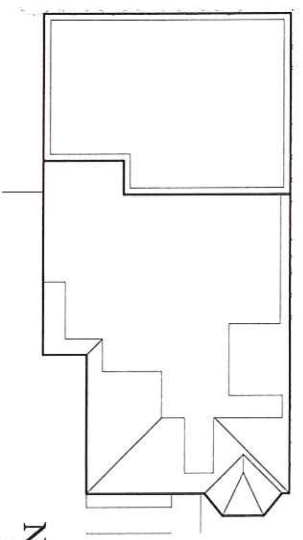
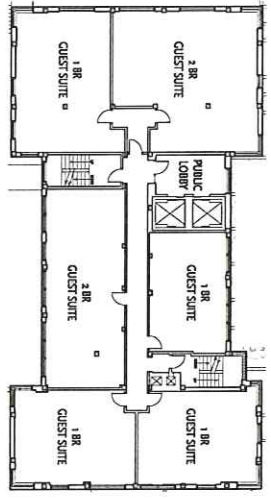
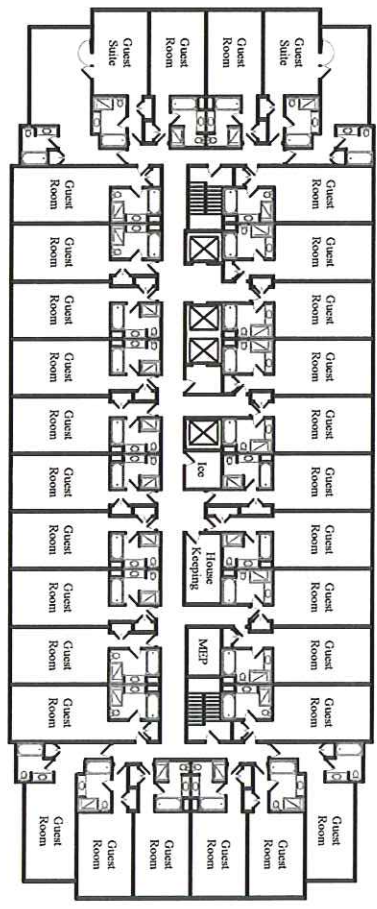
EXISTING PROPERTY LINE



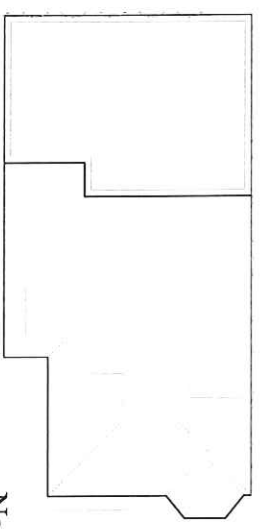
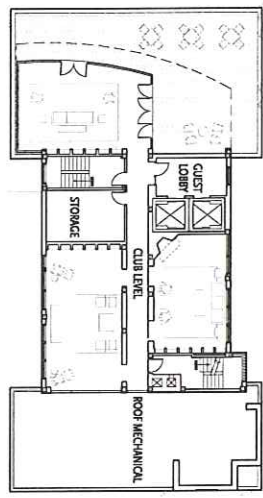
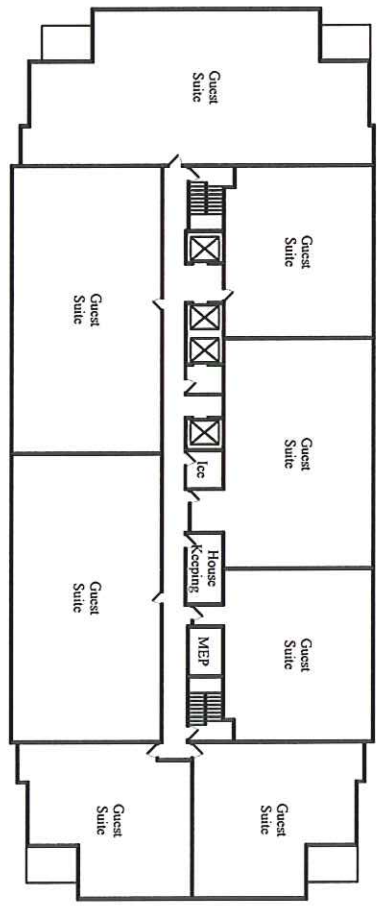
McFadden & Company
 Five North Broom
 Madison, Wisconsin 53703
 608.251.1350
 mcfadden@mtlbjg.com



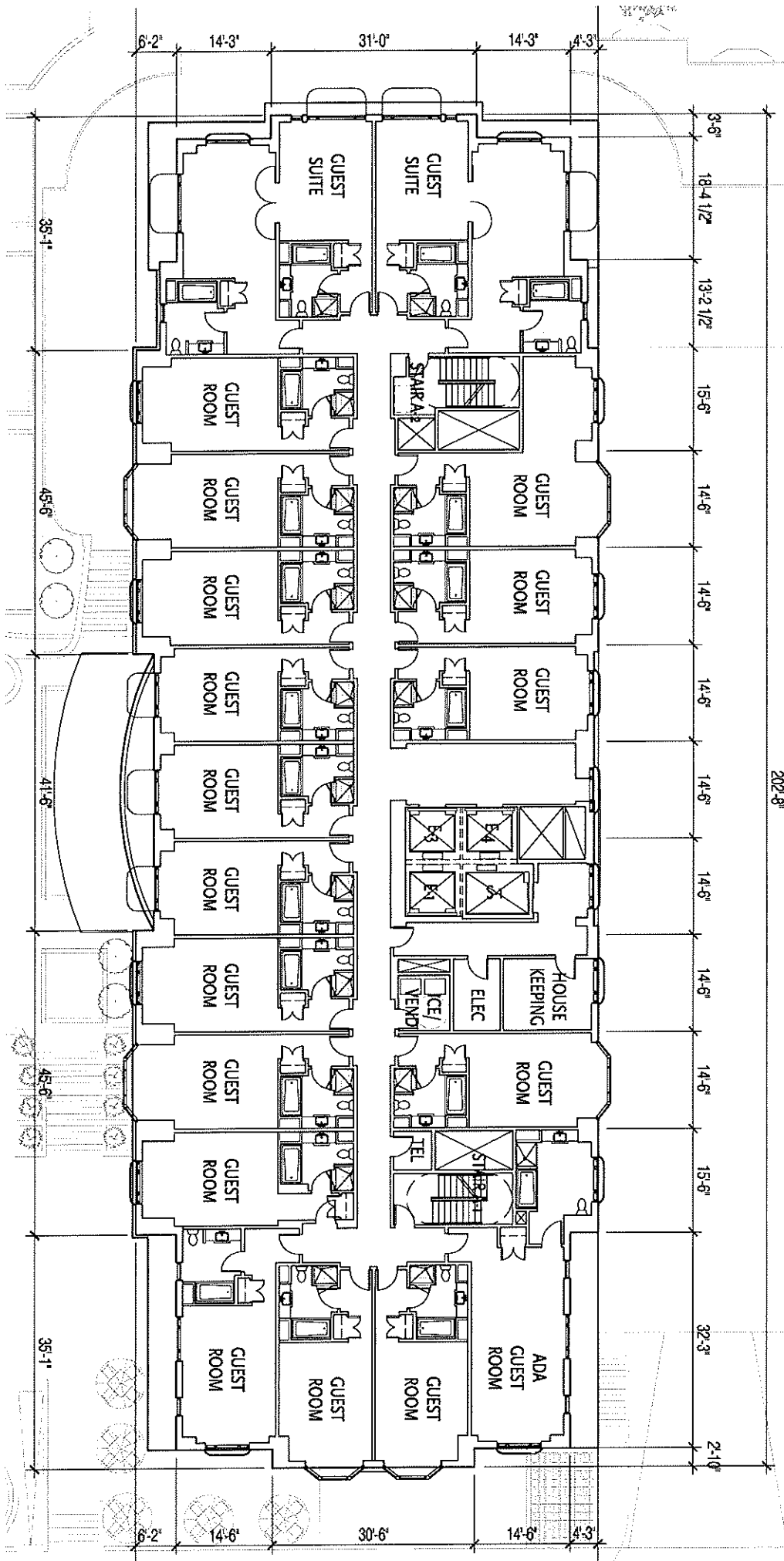
Existing One (67'-8")
 New Two (70'-0") @ 1" = 20'
 The Edgewater Reconsidered
 November 30, 2009



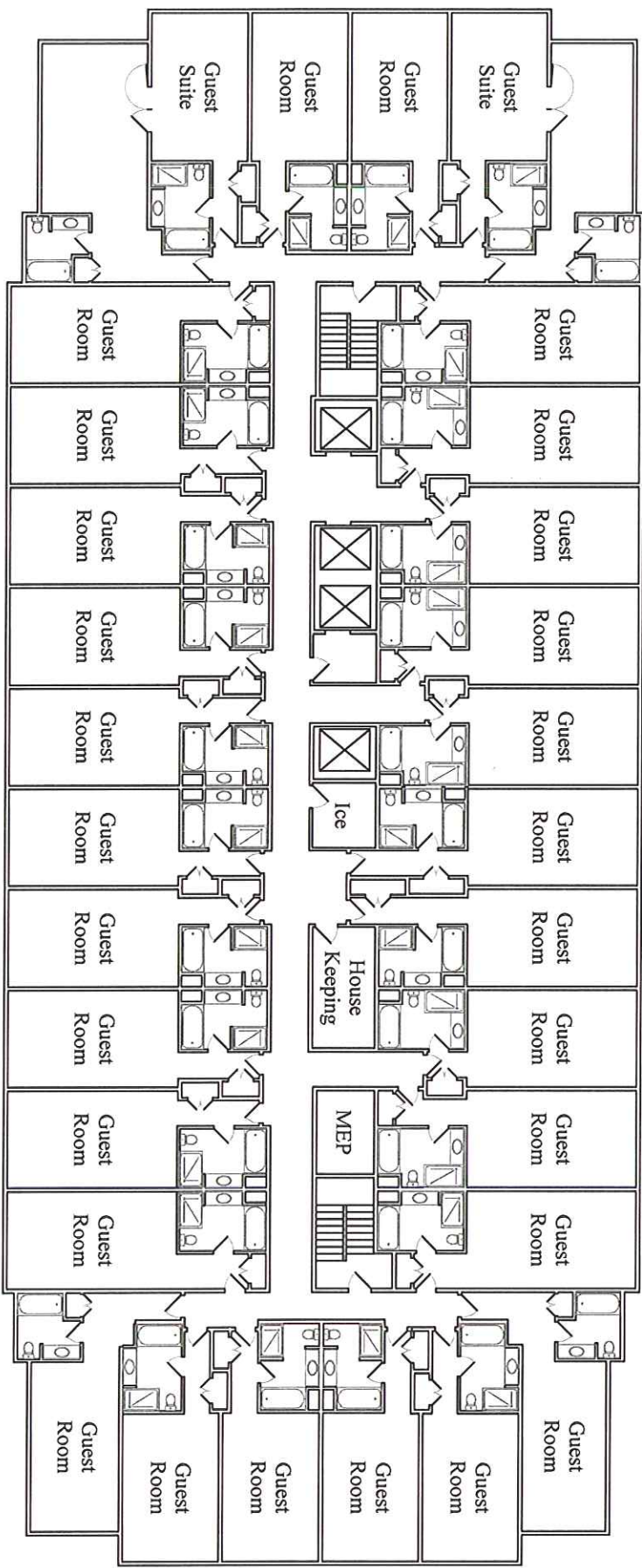
Existing Two (76'-10")
 New Three (79'-8") @ 1" = 20'
 The Edgewater Reconsidered
 November 30, 2009



Existing Roof (105'-4")
 New Sixth or Top Floor (108'-8")
 The Edgewater Reconsidered
 November 30, 2009

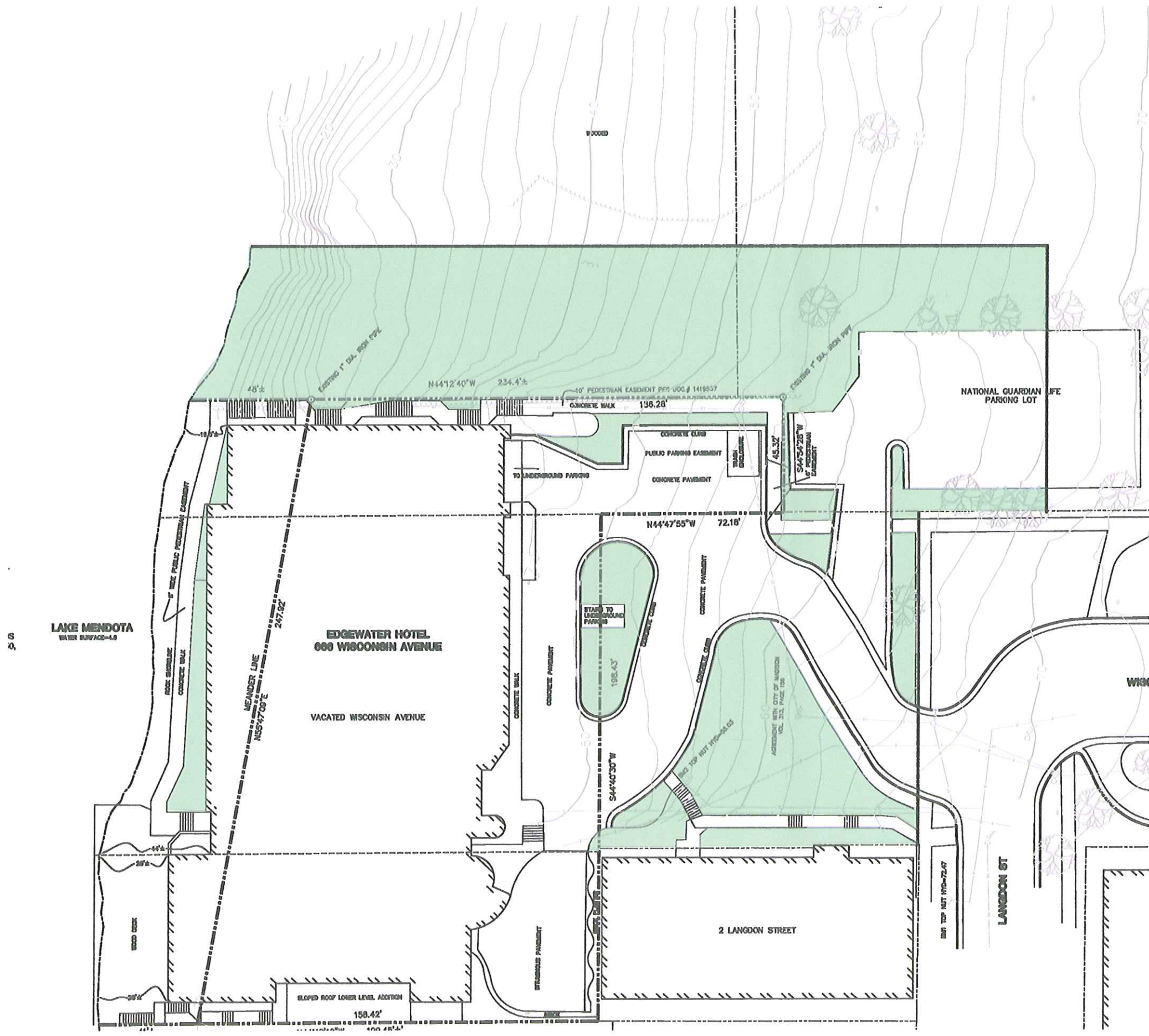


Typical Floors as Proposed @ 1" = 10'
 The Edgewater Reconsidered
 November 30, 2009



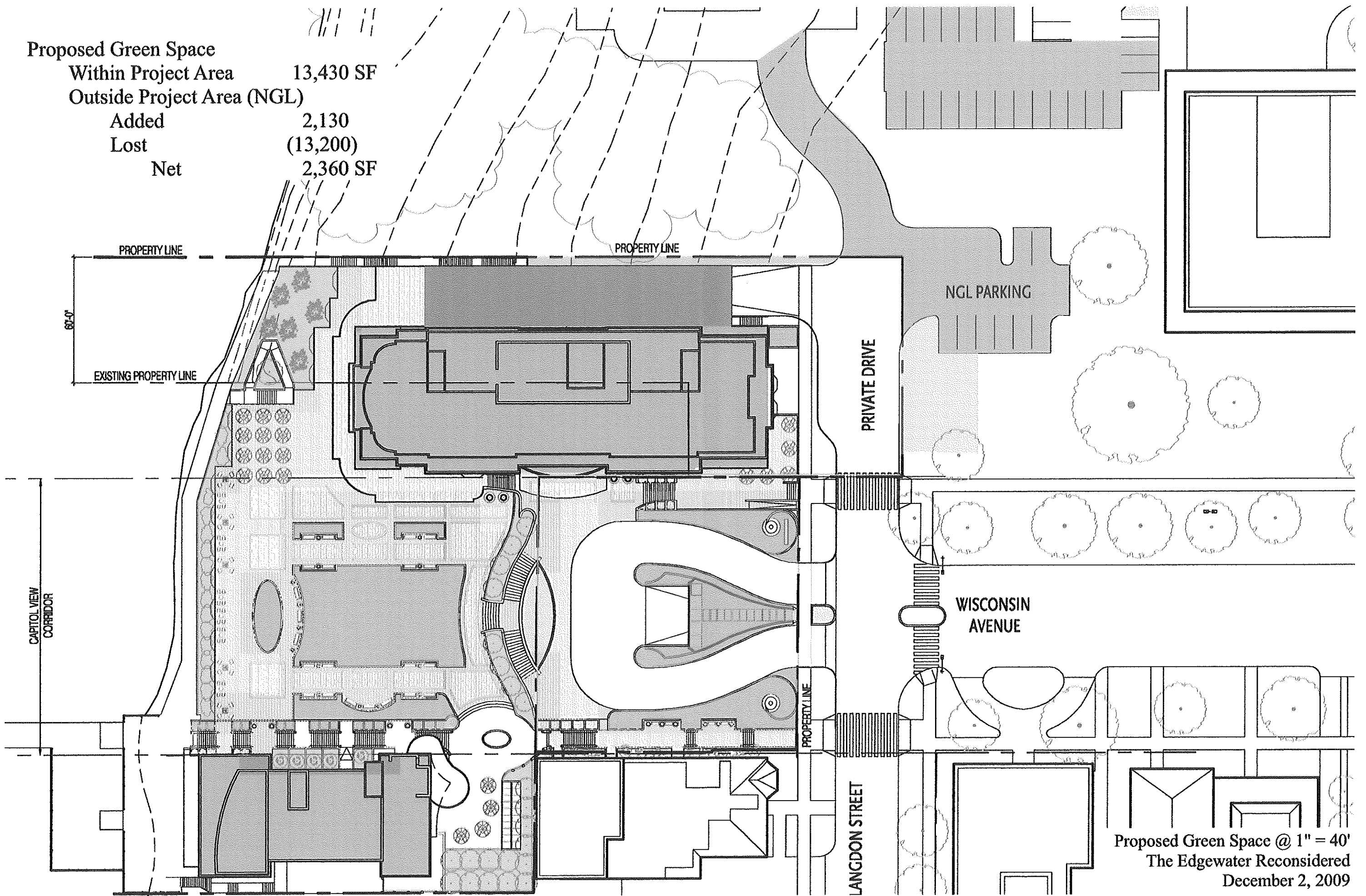
Typical Floors 2, 3 & 4 @ 1' = 10'
 The Edgewater Reconsidered
 November 30, 2009

Green Space - Existing: 27,320 SF
 Green Space - Proposed: 2,360
 Green Space Lost: 24,960 SF

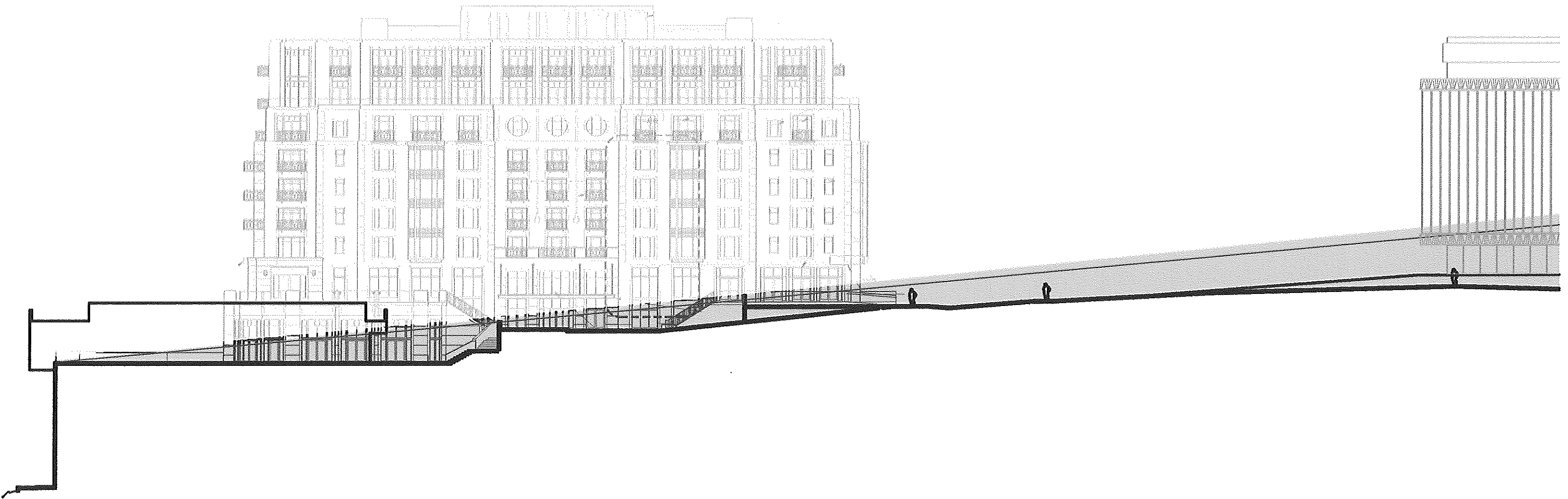


Existing Green Space @ 1" = 40'
 The Edgewater Reconsidered
 December 2, 2009

Proposed Green Space
 Within Project Area 13,430 SF
 Outside Project Area (NGL) 2,130
 Added (13,200)
 Lost 2,360 SF
 Net



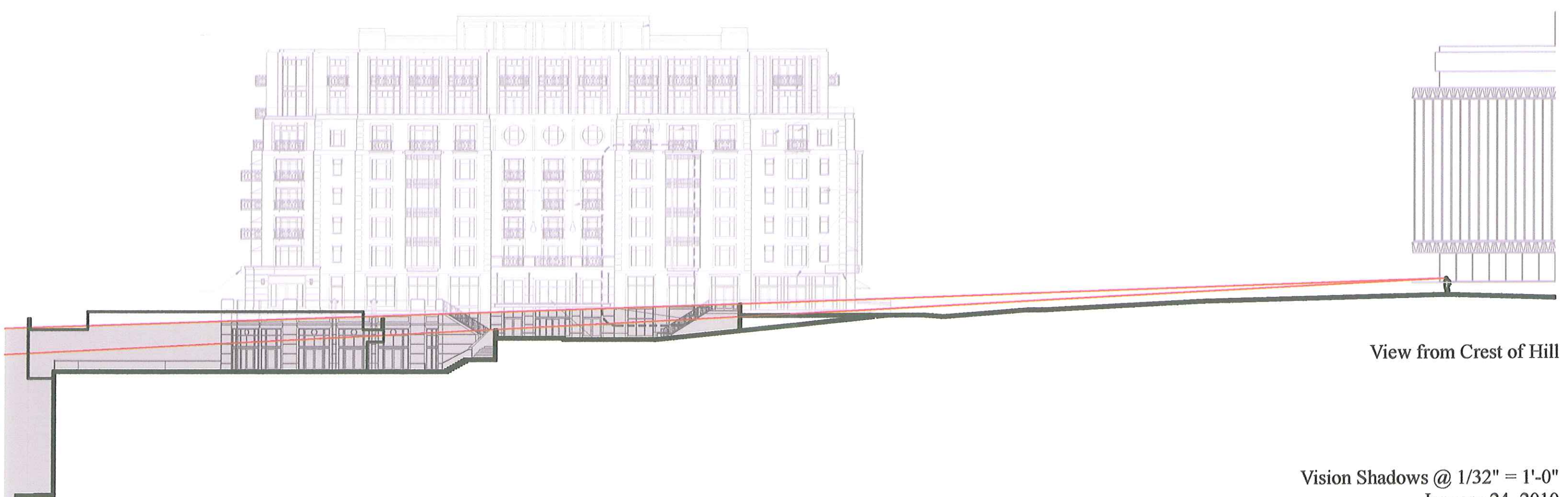
Proposed Green Space @ 1" = 40'
 The Edgewater Reconsidered
 December 2, 2009



Vision Shadow @ 1/32" = 1'-0"
January 24, 2010



View from Langdon Street North Sidewalk



View from Crest of Hill