Additional Public Comments Since February 8, 2010 Public Hearing

- Copy of February 8, 2010 testimony by George Austin to Plan Commission
- Summary from Mansion Hill Steering Committee of their testimony to the Plan Commission on February 8, 2010 (per their request to have their comments provided)
- February 10, 2010 comment by Ledell Zellers regarding how registration forms are completed
- E-mail exchange between Ald. Lauren Cnare and Susanne Voeltz circa February 11, 2010
- February 17, 2010 written comments by Gary Peterson to Urban Design Commission
- February 25, 2010 Article from Capital Times requested by Susanne Voeltz to be forwarded to Plan Commission
- March 17, 2010 written comments presented to Urban Design Commission by John Martens with renderings
- March 17, 2010 drawings presented to Urban Design Commission by James McFadden

George Austin's Remarks to Madison Plan Commission

Edgewater Rezoning Public Hearing - February 8, 2010

Good Evening. I am a resident in the Fifth Aldermanic District and I have been following the deliberations on this project over the past year. I am here to tonight as an interested City of Madison citizen and taxpayer. I have been in this chamber very many times as Secretary to this Commission for 15 1/2 years, ending in 1998, and a fair number of times in the subsequent 11 ½ years but only to address planning and development issues involving the two civic projects I have had the privilege to lead the development of...the Wisconsin Institutes for Discovery and Overture Center for the Arts. This is the first time in the last 25+ years that I have come solely to speak in my own interest as a Madison resident.

I support the redevelopment of the Edgewater property and I hope that your deliberations will lead you to the same conclusion ... that the proposed redevelopment meets the goals of the City's Comprehensive Plan and the standards of the Planned Unit Development zoning. The Edgewater project will renew a tired but important property, add to the tax base, support the important meetings/tourism industry which is a vital element of our economy and our downtown and last but not least, reinforce the viability of the historic district adjacent to the hotel by adding to the vitality of this important neighborhood making it a more attractive place to own and restore the historic residences and properties. It is this broad view, through a balancing of all of these important and sometimes competing interests, that a truly remarkable project can emerge. It is through this lens that the Edgewater proposal, I believe, has earned and deserves your support.

In my brief comments this evening, there are two items I'd like to highlight. The first issue is the City's Comprehensive Plan. The Comprehensive Plan is a large scale document and by its very nature, is not intended that a single project must meet every objective within the plan. It isn't a zoning map. For me, the key question is *"Does it generally meet the goals and objectives of the Plan when applied to this specific project?"* Through this lens, I believe the Commission can conclude the proposed project does generally meet the height recommendations for the Langdon Street Sub-District and that it will reinforce, as the Comprehensive Plan states in its vision section...*an urban environment characterized by a sensitive blending of carefully preserved older structures, high quality new construction, architectural gems, and engaging public spaces...*

The second item I want to address is the application of planned unit development zoning. I have heard from some of my neighbors in the University Heights Historic District near my home, that if the Edgewater project is approved, it will create a precedent and open the door to incompatible land uses popping up in historic districts throughout the City. I just don't believe this to be case. PUD zoning, by its very definition, is specific zoning for a specific parcel or parcels that must adhere to defined standards for approval. Projects requesting rezoning to a PUD zoning category are the most intensively vetted projects of any that are reviewed under the Madison Zoning Code, by design. Each PUD must stand on its own legs based on the specific set of facts an conditions involving the development and its relationship to the surrounding environment.

To conclude, I appreciate the care you are using to analyze the project before you. That is what is expected of you. Invariably, there are contradictions within a complex set of policies and standards that have to be carefully weighed when considering a project of this nature. In the end, however, I believe this project passes the many tests it has before it. I hope you will concur. In the future, if this project proceeds, I believe you will look back with considerable pride at what is being created here, and recognize that moving ahead with this project was the right thing to have done at the right time in our city's history.

Thank you.

Plan Commission
February 8, 2010
Testimony from the Mansion Hill Steering Committee

Adam Plotkin
304 N. Pinckney St.
Madison, WI 53703

Good evening and thank you for allowing us the time to address the issues related to the proposed Edgewater development. I am appearing before you tonight as a member of the Mansion Hill Steering Committee, a group of neighbors that have met nearly weekly since the first neighborhood meeting in October 2008.

Comprehensive Plan

I would like to address the issue of compatibility of the Edgewater proposal with the Comprehensive Plan for Madison. As you may be aware, a recent change in Chapter 66 of State Statute requires that any zoning changes must be consistent with a Comprehensive Plan. While comprehensive plans can be amended, a process that is in fact underway for the downtown, the CURRENT comprehensive plan is what must govern the decision regarding consistency. The height, mass, and setback from Wisconsin Avenue as proposed for the tower are incompatible with the surrounding neighborhood as well as the underlying zoning for the Mansion Hill Residential Sub-district.

The staff recommendations before you say that building height in the Langdon Residential Sub-district should be between 2 and 8 stories, with taller structures closer to State Street. The Mansion Hill sub-district is recommended 2 stories to whatever the underlying zoning might be. Part of the proposed tower lies within R6H zoning of Mansion Hill. The underlying zoning in R6H carries a 50 foot height limit on structures. The proposed tower is 8 stories tall above grade. Since the tower, though not the entire site, is within Mansion Hill, the 50 foot height limit should be more strictly enforced. There are generally two responses to this application of the 50 foot limit. First, that the development is proposed as a Planned Unit Development (PUD) and that a portion of the land the tower sits on is zoned Office/Residential. The PUD guidelines state that a PUD should insure "substantial compliance" to "the general plan for community development." In other words, the PUD should not be used to throw out entirely the underlying zoning. As to the underlying zoning on the precise parcel of land for the tower, the comprehensive plan is not designed to go parcel by parcel to direct development but is meant to study a large area and judge it on a scale as it relates to other buildings nearby. As you know, the Landmarks Commission found that the height and mass of the proposed tower did not meet the test of visual compatibility.

The Comprehensive Plan also emphasizes the careful treatment and preservation of views and vistas of significant value, such as lakes, open space, or the Capitol, are treated sensitively by new structures or potential visual obstructions. The staff report before you states that the location of the new tower adjacent to the existing and vacated portions of Wisconsin Avenue is of particular concern. The suggestion that the tower would help to frame the Capitol as seen from Lake Mendota implies that the natural beauty of the topography combined with one of the

most majestic State Capitol buildings in the country is in need of assistance from an additional structure that, from Langdon Street and Wisconsin Avenue is totally out of character in relation to the existing structures in the neighborhood, is inconsistent with the stated intentions of the Comprehensive Plan.

One of the key recommendations in the Comprehensive Plan is to "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." As the Landmarks Commission already affirmed – the proposed tower is not appropriate for the established neighborhood character.

The recurring theme of historic preservation and scaled development is an important one that is reiterated, reaffirmed, restated and cross referenced in over a dozen recommendations, objectives, and policies in the comprehensive plan. While these statements aren't specific to individual projects, in concert they emphasize an overall goal of development that fits within existing neighborhoods. By nearly every measurable standard, the Edgewater proposal is out of scale with the Mansion Hill area. I urge you to honor the intent of the Comprehensive Plan while applying its general principles to the Edgewater proposal.

Ledell Zellers
510 N. Carroll St.
Madison, WI 53703

PUD Ordinance
In order to approve this project you must find under the PUD ordinance that it will "promote improved environmental and aesthetic design … 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" and that 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."

This project fails to achieve these requirements. First it does not meet Criteria 1a or b. Criteria 1a demands that the project be "compatible with the physical nature of the site or area" and 1b requires that the project "Would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the general development plan".

One should not lose sight of the fact that this proposed project is located in the middle of a residential historic district…and that the Landmarks Commission found after 7 hours of intense review that the tower is incompatible with the area.

First, the tower is too tall to be compatible. While *height* of buildings is significant to the visual impact of a building and is the measure used by R6H zoning, the comparisons consistently shown by the developer are of *elevations*. The visual impact is informed by <u>height</u> as perceived by a person standing in the general vicinity of the building. The height of the proposed tower taken at the front entrance of the building (NOT even including the podium) is approximately

triple that of three of the four buildings in the immediate area and is about double of the fourth building, Kennedy Manor. The current proposal is a 14 story building above the lake and 10 stories above the plaza. This is a site where the underlying zoning in the historic district has a 50' height limit.

In addition the MASS of the tower is out of scale with its surroundings. It is 3 to 16 times the size of adjacent structures as noted in the staff report to the Landmarks Commission. In fact all of these structures would fit within the new tower and only take up 60% of the total volume.

These two measures...height and mass both shout out that the proposed tower is wildly visually incompatible with the site and area. The tower simply does not fit into its surroundings. The developer has not attempted to address this fundamental flaw.

In addition, the proposed tower is right on the Wisconsin Avenue setback. It walls off a significant portion of the view corridor. This is a view that was promised to the public in perpetuity for having given away the street end to National Guardian Life and the Edgewater back in the 70s. And while one Council cannot bind a future Council there is a simple matter of integrity and being sure that benefits to the public that **matter** are not traded and lost for benefits that could be gained with a project that both adheres to those promises and that is better designed for the site.

All of the above points, mass, height and setback demonstrate that Criteria 1a and b are **not** met.

This takes us to criteria 1d which requires that the proposal "Would not create a traffic or parking demand incompatible with the existing or proposed facilities". Currently there isn't enough parking when there are large events. The new development would have LESS parking per room than currently exists. The new development also contains a ballroom, a spa, a restaurant, a café, and a nominally public space. And the developer says the new development is going to attract many more people than the current hotel. This is a development in the middle of a residential area...12 blocks of residences with only two commercial incursions. This is an area with no parking ramp nearby which other downtown hotels do have. This is an area where the residents rely on their on-street parking permits (also known as hunting permits) meaning they can, if they drive around for long enough find a place to park. And while valet parking has a nice ring to it...and works in some cities...the likelihood of it working in Madison given the failure of past attempts seems remote. This proposal is simply underparked.

Another aspect is providing for parking space for buses and for deliveries. The concept the developer has put forward sounds good at first ...two loading bays inside the building. However, the reality with a bit more review points to severe under capacity if the hotel and associated restaurants and public space are modestly successful. Under our current zoning requirements the project would be required to have 4 loading spaces. It is only because it is a PUD that the developer can try to get by with 2 loading bays. The current smaller hotel frequently has more than two buses plus delivery vehicles needing access simultaneously. Plus it appears that one of the loading bays may serve as the site for the trash compacter leaving only one for deliveries and buses. To assure that constantly idling buses and delivery vehicles are not clogging the small residential streets, the standard 4 delivery bays should be provided.

In regard to Criteria 4 we support the requirement that the developer provide proof of financial capability as described in the staff report.

How many ordinances do we need to change, how many values of our community—lake view, the environment, our historic districts—do we need to blow up in order to squeeze the Edgewater proposal into a place where it simply does not fit? You are struggling with this project because it simply doesn't work at this site.

Peter Ostlind
533 W. Main St.
Madison, WI 53703

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".

To accomplish this 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 proposed changes to the ordinance will remove the 10' setback requirement. Some will argue that the ordinance only applies to the land adjacent to the right of way vacated in 1965. Though certainly to affect the spirit and intent of the original ordinance the setback requirement must apply as a minimum for all lands along the street end of Wisconsin Ave. There is no other way to permanently preserve the visual outlook over Lake Mendota.

In the packet presented to you the applicant suggests that the current proposal conforms with the 1965 ordinance because it is "consistent with the build to line". First as you know there is no 'build to line' in Madison zoning. And secondly with the exception of the two buildings directly on the Square all of the other buildings along Wisconsin Ave. have a setback from the property line.

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 really 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. To do so would in essence privatize the lake view which is a public asset so that it can be resold as hotel rooms.

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?

Waterfront Conditional Use Permit

As the Staff report notes all of the Conditional Use Standards must be met before an approval can be granted. Criteria 3 and 4 are probably the most relevant to this discussion.

> 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.

This proposal is a significant change to the neighborhood and will certainly impact the surrounding properties. In documents submitted to you concerns regarding the adequacy of the parking, provisions for bus staging and truck deliveries as well as loss of the view corridor have been raised. The proposal is located within an Historic District which provides property owners with certain expectations regarding the scale and mass of buildings that might be constructed within the district. The use and enjoyment of their properties will be substantially affected by the inappropriate scale and mass of the proposed hotel tower. This is clearly reflected in the Landmarks Commissions refusal to grant a Certificate of Appropriateness.
I'm sure others will testify in more depth on these issues.

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.
If approved this proposal will also serve as a precedent which will be cited by proponents of future developments in the area just as the current applicant focuses on the few other outsized buildings as justification for this proposal.

We disagree with the staff conclusion that you might find that this criteria can be met. They suggest that other properties are protected because they are already developed or are within the Historic District. Clearly this proposal is within the Historic District but the blatant disregard for the criteria of the district is doing little to protect the orderly development of the area. Just as clearly properties are often redeveloped. Langdon St. has seen much of this type of activity. To suggest that a proposal such as this which requires so many exceptions to the rules and changes of existing ordinances will not affect the normal and orderly development and improvement of surrounding properties is very short term thinking at best.

John Martens
4118 Hegg Ave.
Madison, WI 53716

Zoning
Zoning is the practice of dividing a city into separate residential, commercial, industrial, and other districts in order to preserve the desirable characteristics of each type of setting. The word "zone" is used because the various functions of a city are best carried out in large areas, or zones, as opposed to individual lots.

Zoning helps city planners bring about orderly growth and change. It controls building forms, usage, streets and traffic, population density and others in order to maintain attractive, safe, and healthful areas, as well as managing the way those areas interrelate. In addition, zoning helps assure property owners and residents that the characteristics of particular areas will remain stable.

Zoning is not merely the division of a city into districts and the regulation of the designs of buildings within each district. It also requires consideration of future growth and development. Consequently, zoning regulations must conform to and implement a long-range vision for the community known as the comprehensive plan, and as of January 1, 2010 the State of Wisconsin has mandated municipalities to use their comprehensive plans as the basis for their zoning.

Individual pieces of property should not be singled out for special treatment. A lot may not be placed in a separate zone and subjected to restrictions that do not apply to similar adjoining lands. This "spot zoning" is undesirable because it violates the very concept of zoning itself.

On the other hand, ordinance cannot always define all of the desirable conditions for the growth of any particular zone. Special conditions frequently require further examination, and for this purpose, the PUD or planned unit development is used. The PUD is a tool for incorporating desirable growth, and it allows tweaking of zoning requirements in a particular situation as long as it conforms to the general spirit of the underlying zoning
It is important to note that the PUD is intended to allow minor adjustments to, but not major deviations from the underlying code.

Let's examine the the application for 666 Wisconsin Ave. *Map 1*

The proposed development straddles the OR and R6H zones on our current zoning map.

OR zoning does not allow hotels, and permits a maximum FAR of 2.0. The proposed development has an FAR of at least 3.4, 170% of the permitted FAR.

R6H zoning also permits a maximum FAR of 2.0, and again the proposed development exceeds the permitted by 170%.

R6H zoning allows a footprint of a building to cover a maximum of 40% of the lot area. The proposed development covers more than twice that amount.

R6H zoning includes a specific height limit of 50 feet. Once again, the proposed development exceeds that requirement by nearly double.

Let's consider our comprehensive plan. *Map 2*

The proposed development is on the border of the Langdon Street and the Mansion Hill Districts. These districts allow growth, but both of them emphasize that growth must be complementary and compatible with the surrounding neighborhood, and there is added emphasis for preserving the historic character of those existing neighborhoods.

The mass of the proposed Edgewater Tower is greater than the five adjacent properties combined. It is difficult to see such a mass as the complementary and compatible growth mandated in our comprehensive plan. Our Landmarks Commission had no trouble reaching that conclusion also.

Furthermore, the Langdon Street district limits height to between two and eight stories, the tallest ones being adjacent to the State Street District. The current 50 foot height limit is reiterated for the Mansion Hill District.

In addition, the comprehensive plan encourages the preservation of lake views. The location of the proposed tower significantly encroaches on the lake view at the end of Wisconsin Avenue

I would like to summarize.

The proposed tower

- Exceeds numerous OR and R6H zoning requirements currently in place by nearly a factor of two.
- It significantly exceeds massing compatibility, height, and placement within the lake view as mandated by our comprehensive plan; and
- Its location in the very middle of the R6H zone, our most important and well-preserved historic district, introduces a further incompatibility that would not be present if it were on the edge of the historic district.

According to the ordinances that govern this PUD decision, the proposed project at 666 Wisconsin Ave is too tall, too massive, and too close to the Wisconsin Ave. view corridor to comply with the requirements for granting a PUD.

Parks, Timothy

From: Ledell Zellers [mailto:ledell.zellers@gmail.com]
Sent: Wednesday, February 10, 2010 6:22 PM
To: Murphy, Brad; Fruhling, William
Cc: Verveer, Mike; 'Plotkin, Adam'; 'Bert Stitt'; 'Peter Ostlind'
Subject: Addresses on sign in slips

Brad and Bill,

Why doesn't the city specify on sign-in sheets for testifying that people should sign-in using their home address? Clearly many lobbyists and developers and union reps and developer family members are using office or other non-home addresses. This is not appropriate disclosure. I would also ask why it isn't disclosed to the public if the people signing in are being paid for their testimony? We need a higher ethical bar.

Thank you.
Ledell

Ledell Zellers
510 N Carroll Street
Madison, WI 53703

Please note new email address: ledell.zellers@gmail.com

Parks, Timothy

From: Susanne Voeltz [susi@mailbag.com]
Sent: Thursday, February 11, 2010 2:26 PM
To: Murphy, Brad
Cc: Parks, Timothy
Subject: Fwd: Decision making

fyi
Susanne Voeltz Public Relations
One Langdon Street
Madison, WI 53703
608/284-0848
susi@mailbag.com

Begin forwarded message:

From: Susanne Voeltz <susi@mailbag.com>
Date: February 11, 2010 8:51:27 AM CST
To: "Cnare, Lauren" <district3@cityofmadison.com>
Subject: Re: Decision making

Happy to---let me add that many people in the community (including prominent people who are reluctant to speak out politically) were impressed by your Council vote to maintain the integrity of our commissions-the issue of overturning the Landmarks' decision on the certificate of appropriateness...
Regardless of whether one is a fan of the Edgewater proposal or not--is it worth turning our approval system upside down and and creating special rules-- for privileged folks--think of Orwell's Animal Farm --all because there is a rush to anoint this project prematurely before all the facts are in and before we can reasonably weigh economic impact (what is it/how many jobs in reality/how will it impact Monona Terrace/Overture),TIF-financing (how do these numbers shake out) and even the multitude of design questions that are out there. Skipping that due diligence will not make those questions go away. Think we need to slow down-we are moving too fast here---if this is the right project ----it can be played out and we can get the answers we need to make a reasonable determination. An incredible burden rests on your back to arrive at best decision for our community and one that will stand up for decades. I truly wish you had a more unencumbered forum, a reasonable timeline and truly complete information to do your job.
No downside ---the upside would result in a better project.

By the way much of my professional work has involved PR for urban developments around the country-- and do you know what-I have never encountered a fast track from the Mayor's office in cities as diverse as Chicago, New Orleans, Cleveland, Portland, Houston, Providence,RI and Dallas....It all takes time and a diligent, straightforward process
Thanks,
Susanne
Susanne Voeltz
One Langdon Street
Madison, WI 53703
608/284-0848
susi@mailbag.com

On Feb 10, 2010, at 1:13 PM, Cnare, Lauren wrote:

Suzanne: I enjoy the dialogue with you. Let's keep it up!
LC
Lauren Cnare
Alder, District 3
608-226-0987 (cell)
district3@cityofmadison.com (e-mail)

From: Susanne Voeltz [susi@mailbag.com]
Sent: Wednesday, February 10, 2010 11:01 AM
To: Cnare, Lauren
Cc: Kerr, Julia; Schumacher, Michael; erics@cows.org; jolson@operationfreshstart.org; jabowser@facstaff.wisc.edu; mabasford@charter.net; jboll@mge.com; Murphy, Brad; Parks, Timothy; Mayor
Subject: Decision making

Hello Ms. Cnare,
Thank you for all your dedicated work on the Madison City Council and Plan Commission. With the complex issues surrounding the Edgewater proposal the challenge of your important jobs have certainly been significantly compounded and expanded.

I truly appreciate the frustration (among our various legislative bodies) that has resulted from having to continually resort to referring decisions regarding approval requests by the Landmarks X development team. Your remarks in the Daily Reporter article below note that "..it was nice to make some decision".

But that decision could not come within the confines of our present regulations--even with the custom zoning of a PUD-- and had to come at the cost of creating an unprecedented class system for our approval process--in the words of DMI chair and Hammes legal counsel Alan Arnsten--one that provides "substantial"projects special privileges over Joe "the plumber" so to speak.In addition, we have weakened the modest environmental protections that are in place for our shorelines --an untouchable in progressive eco-friendly peer cities nationwide e.g. Portalnd, OR.

Let us think about it --why is it so difficult for our Council and commissions (with exception of Landmarks) all of which are comprised of highly intelligent, informed and committed citizens to make decisive decisions about this redevelopment project?Is it that at every critical turn this private sector hotel project needs more accomodations (than even a PUD can ensure) and less scrutiny (referendum +thousands of hours of civic input) than public treasures such as Monona Terrace and the Overture Center ?

Thank you for giving me an opportunity to express my opinion. I understand you do have a very difficult job and appreciate the time you are taking to study this proposal and to listen to constituents and their respective views.
Best of luck with your deliberations and in weighing your upcoming decisions.

Best regards,
Susanne Voelts -a neighborhood volunteer
Edgewater project scores small victory

Published: February 9, 2010
Tags: Clear<http://dailyreporter.com/blog/tag/clear/>, Cnare<http://dailyreporter.com/blog/tag/cnare/>, Edgewater<http://dailyreporter.com/blog/tag/edgewater/>, Edgewater Hotel<http://dailyreporter.com/blog/tag/edgewater-hotel/>, Madison Common Council<http://dailyreporter.com/blog/tag/madison-common-council/>, Madison Plan Commission<http://dailyreporter.com/blog/tag/madison-plan-commission/>, Madison Urban Design Commission<http://dailyreporter.com/blog/tag/madison-urban-design-commission/>

[cid:38DDF6AF-93AF-4223-97A9-25CBF48CA1BA@local]

A revised rendering shows the proposed Edgewater Hotel redevelopment from Lake Mendota. Madison's Plan Commission has voted to change the city's zoning ordinance to allow the proposed Edgewater addition to have the same setback as the original structure.
(Renderings courtesy of the city of Madison)
By Paul Snyder<mailto:paul.snyder@dailyreporter.com>
The proposed Edgewater Hotel redevelopment won a zoning change, the project's first Madison approval after months of city commission rejections and referrals.
"It was a small victory for the city process," said Alderwoman Lauren Cnare. "A lot of my colleagues have made comments that all we keep doing is referring this project, so it was nice to make some decision."
The Plan Commission voted 5-4 Monday night in favor of a change to the city's zoning ordinance that would let the $93 million project sidestep the city's waterfront setback requirements. The change still must be approved by the Common Council.
The change, proposed by Cnare, would alter the city's setback standard by maintaining a commercial building's setback from the waterfront when the building is expanded. According to current zoning, the minimum setback for an addition to a commercial building is based on the average setback of neighboring buildings.
The Edgewater's 1940s building is 16 feet from Lake Mendota, which, according to Cnare's proposal, means the Edgewater addition would have the same setback.
Cnare said the city attorney is drafting the zoning amendment.
The Plan Commission on Feb. 22 will make its recommendations on the rest of the project.
The Common Council on Feb. 23 is expected to make a final decision on the project, but Cnare said the amount of city review still needed could delay the full council review.

[cid:6056C570-CF7E-442B-85BE-971051BC9D6F@local]

[cid:56D4E9FB-A25E-4FC2-8BCE-46048A040F52@local]

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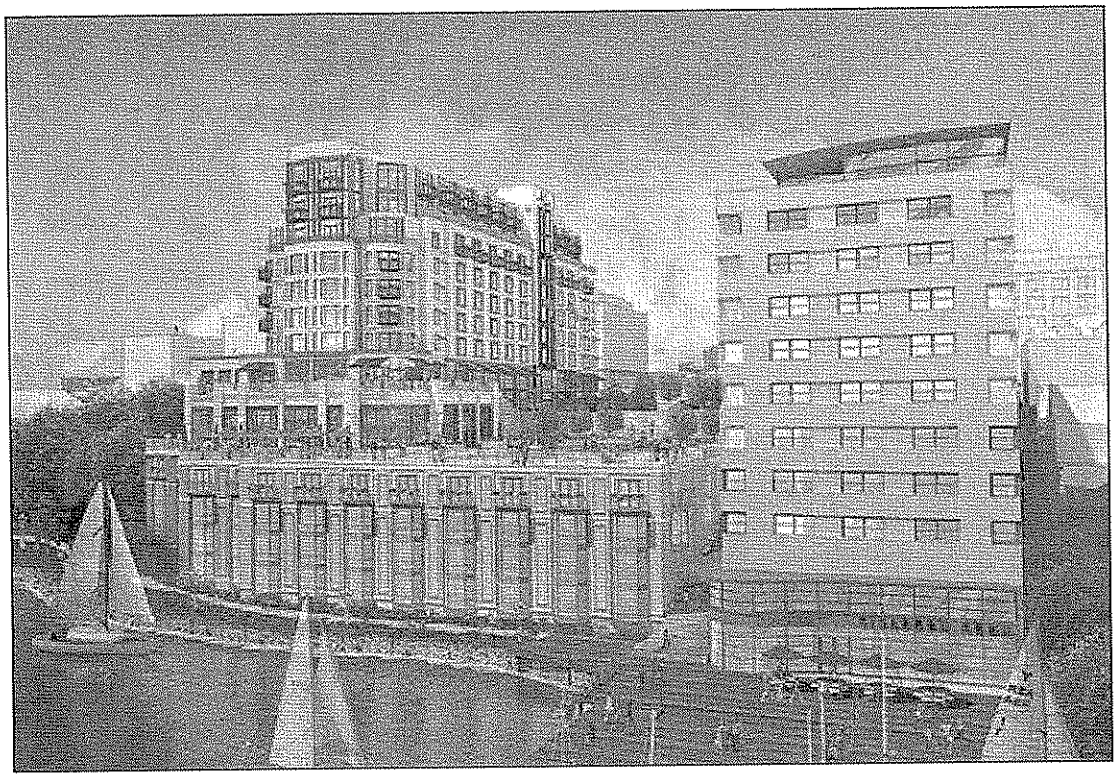

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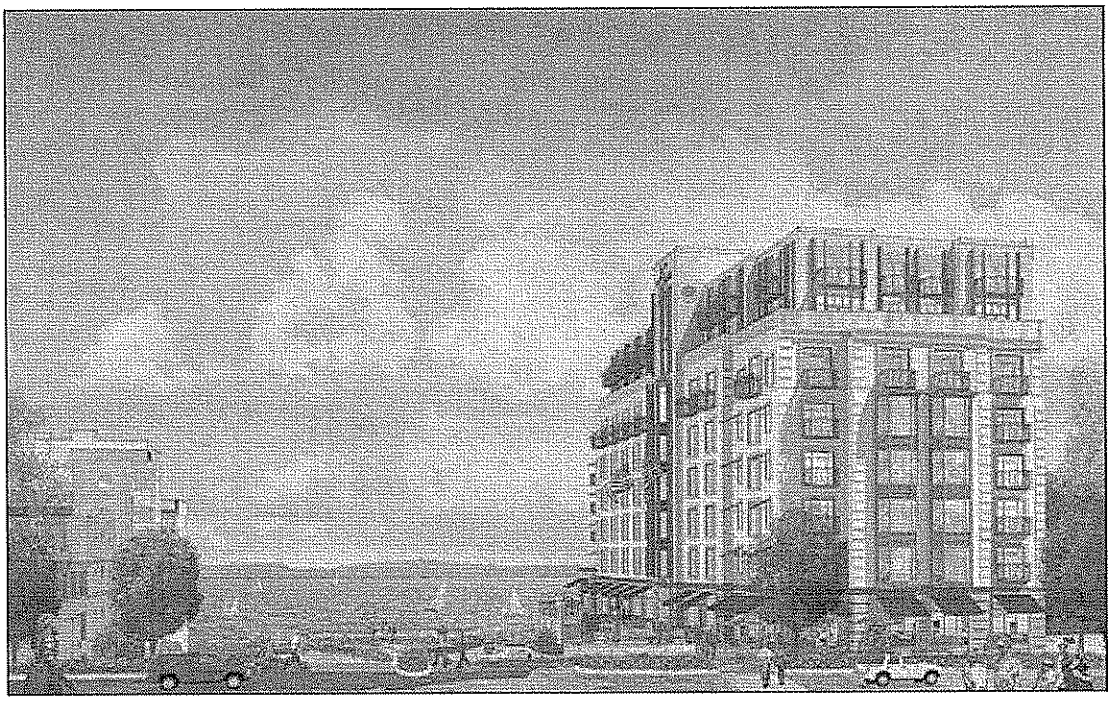

Susanne Voeltz Public Relations
One Langdon Street
Madison, WI 53703
608/284-0848
susi@mailbag.com

Parks, Timothy

From: Susanne Voeltz [susi@mailbag.com]
Sent: Thursday, February 25, 2010 2:53 PM
To: Parks, Timothy
Cc: Murphy, Brad
Subject: PC

Hi Tim,
Could this please be distributed to the Plan Commission members as additional background information they might factor in for their deliberations on the PUD and related Edgewater redevelopment approvals?
Thank you very much for your help.
Best regards,
Susanne

http://host.madison.com/ct/news/local/govt_and_politics/article_761b054a-8f09-5c9e-b060-861ff9166608.html

Tax relief would take backseat in proposed Edgewater loan plan

- Story
- Discussion
- Image (2)

Default font size
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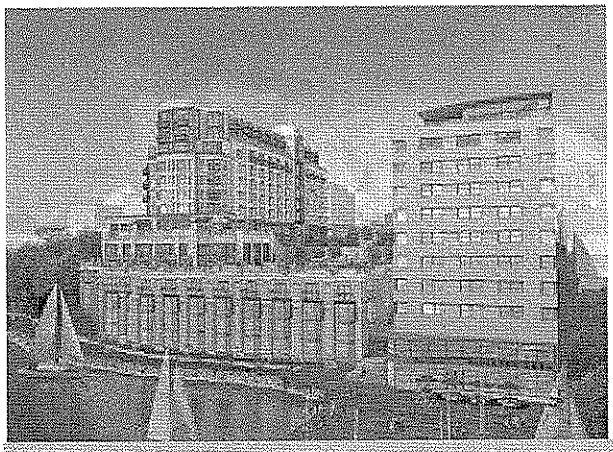
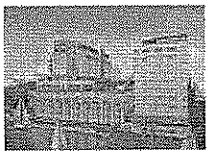
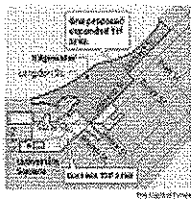
KRISTIN CZUBKOWSKI | The Capital Times | kristinc@madison.com | Posted: Thursday, February 25, 2010 12:15 pm | (21) Comments



This February 2010 rendering of the proposed Edgewater Hotel shows the reduced height of the tower addition. Illustration courtesy of Hammes Co.





It's been 14 years since Paul Reilly retired, but the man known as a stickler for accuracy as Madison's chief financial officer is wading into the sprawling debate on the Edgewater Hotel redevelopment with a warning for city taxpayers.

While most of the discussion over the past eight months has been about whether the once 11-story, now eight-story tower in the $93 million project would be an appropriate addition to the Mansion Hill Neighborhood, Reilly and others are now calling attention to what they say is a little-understood fact: While proponents assert that a proposed $16 million loan from the city would be repaid within seven years with increased property taxes, only part of that money would come from the Edgewater itself. The rest would come from new taxes generated primarily by the highly successful University Square development, a public-private redevelopment project on the 700 block of University Avenue that includes University of Wisconsin offices, high-end student housing, a grocery store and drug store.

According to city calculations, $2.4 million annually is needed to repay the $16 million public loan in the seven years promised by Edgewater supporters, but $1.5 million of that annual amount is slated to come from the higher University Square's tax base and only $900,000 from higher property taxes from the Edgewater project. That $1.5 million, Reilly says, could instead go to lowering taxes and preserving services for Madison schools and Dane County as well as the city.

Madison School Board member Lucy Mathiak is on the same page. "We're basically taking money that should be used for schools and using it on aesthetic improvements to the downtown and Capitol Square at no cost to the businesses," she says.

Accompanied by downtown neighborhood leaders and Edgewater critics Pete Ostlind and Susanne Voeltz, Reilly recently visited The Capital Times with a spreadsheet of his calculations showing that without the money generated by University Square, more than $8.7 million of the Edgewater loan would be left unpaid in 2031, a far cry from a seven-year payoff.

"I think the amount going in is very high and unprecedented," says Reilly, who served for 26 years as the city's comptroller. He added that lending $16 million under such circumstances goes against the city's tax incremental financing, or TIF, policy that says projects must stand on their own financially.

Assuming that the City Council brings the Edgewater project back to the council floor by April, expect the question about providing up to $16 million in TIF to be a central part of the debate. The project's TIF application would have to be resubmitted as the project itself undergoes further revisions and the amount of TIF requested may change from $16 million.

Critics question how much city taxpayers will be getting for the huge loan, but Hammes Co., the developer, says the project's lakefront improvements can't be done without it.

To elected leaders who are backing the Edgewater, arguments like Reilly's are short-sighted. Mayor Dave Cieslewicz has long touted the potential for creating hundreds of jobs during the recession with the project, and Ald. Mark Clear says people shouldn't forget that the larger hotel would generate $800,000 to $900,000 in increased property taxes for decades to come.

"I think that's a little bit of a bogus argument," Clear says. "Is it including money from other projects? Yes. Will Edgewater still be generating increased taxes long after (the TIF loan is paid back)? Yes."

City staff are more circumspect, but they also say the payback issue is not as simple as Reilly makes it out to be. His numbers involve some assumptions about interest rates and finance costs that may be less favorable to the city, they say, but the key question, they add, is whether or not the Edgewater project is a public benefit.

Hammes Co. and its supporters say it is. In particular, project supporters have championed the improved lakefront views and access to Lake Mendota that will be created by removing the top floor of the 1970s hotel addition to install a public plaza and grand staircase down to the lakefront. Compared to the hidden cement staircase to the lake and the mechanical equipment that currently sits on the roof of the 1970s building, it would be a significant improvement. But whether the improvements benefit the public or the hotel more will be up for debate by the council.

If the plaza improvements are considered a public benefit, then the Edgewater proposal falls under a seldom-used but not unprecedented exception to TIF policy, according to city TIF coordinator Joe Gromacki, that allows the city to use property taxes from nearby development to support a TIF loan. Past examples include the city's loans to the Block 89 project near the Capitol Square as well as to the Hilton Monona Terrace for the construction of a pedestrian bridge between the hotel and the Monona Terrace Community and Convention Center. Both projects have a much longer payback time than the Edgewater Hotel's projected seven years, and both were financed under Reilly's tenure as city comptroller.

Gromacki says the Edgewater TIF award would be similar to the Hilton Monona Terrace project. The pedestrian bridge was seen as a public benefit to strengthen the appeal of Monona Terrace as a public convention center. In the case of the Edgewater, Gromacki says the idea is to fulfill the promise of public lake access from decades ago. "That's why we're exploring this," he says. "Will we do that with every project? Not necessarily."

But Reilly and others say the arguments about what the Edgewater will provide the public obscure the fact that the property tax money from University Square could be used for other things that might be more important. If the city were not adding the Edgewater Hotel to the successful downtown TIF district, the district could close in as little as three years, bringing 35 percent (the city's portion of the property tax levy) of the increased property taxes to the city and the rest to Dane County, Madison schools and Madison Area Technical College.

"What would we spend it on? Would the Edgewater public space be a priority? Would that be No. 1?" Reilly asks. "Because it's in a TIF district, we don't think about it that way."

But current city comptroller Dean Brasser says the TIF district is not likely to close within three years because some of the expected increased property taxes from University Square are already tagged to help fund street improvement projects in the State Street area. In the 2010 capital improvement plan, the city budgeted up to $8 million for these projects through 2015.

School Board member Mathiak says the Edgewater Hotel proposal is part of a larger pattern in which the city has extended the life of lucrative TIF districts to make downtown improvements, a practice that delays other beneficiaries like the school district from receiving hundreds of thousands of dollars in increased property taxes.

Mathiak says the issue came to a head in the fall with the expansion of the Capitol Square TIF district to finish off improvements to the square, adding that the Edgewater Hotel would be the second similar extension in a few months. "It begs a lot of questions about who should be paying for economic development because ultimately, if we're doing it at the expense of community services or city transportation or policing or health and human services at the county level or what we can and cannot put into our schools right now, then that's not exactly great economic development," she says.

In the case of the Madison Metropolitan School District, board members are looking at a $30 million budget gap for next year. They plan to release a list of potential solutions next month, which could include teacher layoffs and big property tax hikes.

Mathiak says she recognizes the long-term benefits of TIF for the schools and other units of government, but adds that she would like to see additional discussion on the short-term impact and whether the expansions of TIF districts help the city or TIF-receiving property owners more.

"I'm not saying we couldn't improve our budget," she says, "but this doesn't help."

Posted in Govt_and_politics on *Thursday, February 25, 2010 12:15 pm Updated: 2:35 pm.* Edgewater, Edgewater Hotel, Paul Reilly, University Square, Lucy Mathiak, Pete Ostlind, Susanne Voeltz, Madison City Council, Tif, Hammes Co., Dave Cieslewicz, Mark Clear, Joe Gromacki, Hilton Monona Terrace, Monona Terrace, Dean Brasser

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UDC
17.FEB.10

I am Gary Peterson, President of WAPA and a member of AICP. I have been a planner for over 40 years. I have completed over 30 Comprehensive Plans and Zoning Ordinances that have been adopted in Wisconsin.

Vision – This is a project of vision. Monona Terrace is a project of vision. The State Capitol is our ultimate project of vision. This vision is both the "future" sense and the visible sense. We know about FLW's Monona Terrace. What a great place and what a marketing tool for our City. It is also visible from most of the Lake. It is a structure of beauty and pride. The State Capitol is visible for miles around. What a striking visionary structure our State leaders gave us 100 years ago. The Edgewater Hotel will provide for Lake Mendota what Monona Terrace provides for Lake Monona. This is truly a visionary project.

Changing times – I am certain you have all heard the statement that the only constant in life is change. We need to judge the appropriateness of the Edgewater proposal by today's values and standards. To judge today's development by today's world. As an example does the Zoning district allow Hotels? Yes or no. Does the Comprehensive plan designate the area for a hotel? Yes or no. Setbacks and building heights are different. They are numbers chosen by people who thought for a period in time they were good numbers. That period of time was 30 years or more ago. It did not mean they were right. In fact we know that 30 years ago they were not right for today's world. We know they were not right because the Zoning Ordinance is being rewritten. In our eyes today these were arbitrary numbers 30 years ago that do not work today. In the Zoning rewrite we will create new arbitrary numbers. If not arbitrary today, they will be in the future. Do not live and die by numbers chosen in another era as the world continually changes.

Setbacks – As I indicated setbacks are arbitrary set for the time. To try to align a building today to buildings set decades ago is simply not appropriate. As noted by others the newest buildings on Wisconsin Avenue were built to the R-O-W line. Why would we go backwards and set a building to other structures built decades ago, particularly when the new building will not be visible from the decades old one. In fact the view is blocked by trees and the fact it is on the other side of the hill.

PS - Please understand what we have with the existing Edgewater building is: one a Blighted building and two, by today's standards it is obsolete. The Edgewater needs redevelopment. It needs rehabilitation. We need to rehabilitate all the blighted buildings in Mansion Hill and the Edgewater Hotel is a great one to start with.

Urban Design Commission
March 17, 2010
Submitted by John D. Martens

EDGEWATER HOTEL DEVELOPMENT PROPOSAL

Why this project should be voted down

The most significant aspect, and most relevant to your decision standards, the mass and volume of the building has increased.

- The building is closer to lakeshore.
- The building is taller.
- The volume has increased.
- The top floors on the lakeside have moved closer to the Lake

New features in this version significantly increase the commercial impact in the residentially zoned neighborhood.

- The amount of parking has been significantly increased with a corresponding increase of traffic.
- The corner café has been given much greater prominence with a corresponding increase in public impact.
- Areas for non-room activities have increased.

If the project is not voted down, why it should be deferred

The plan contains numerous unresolved issues

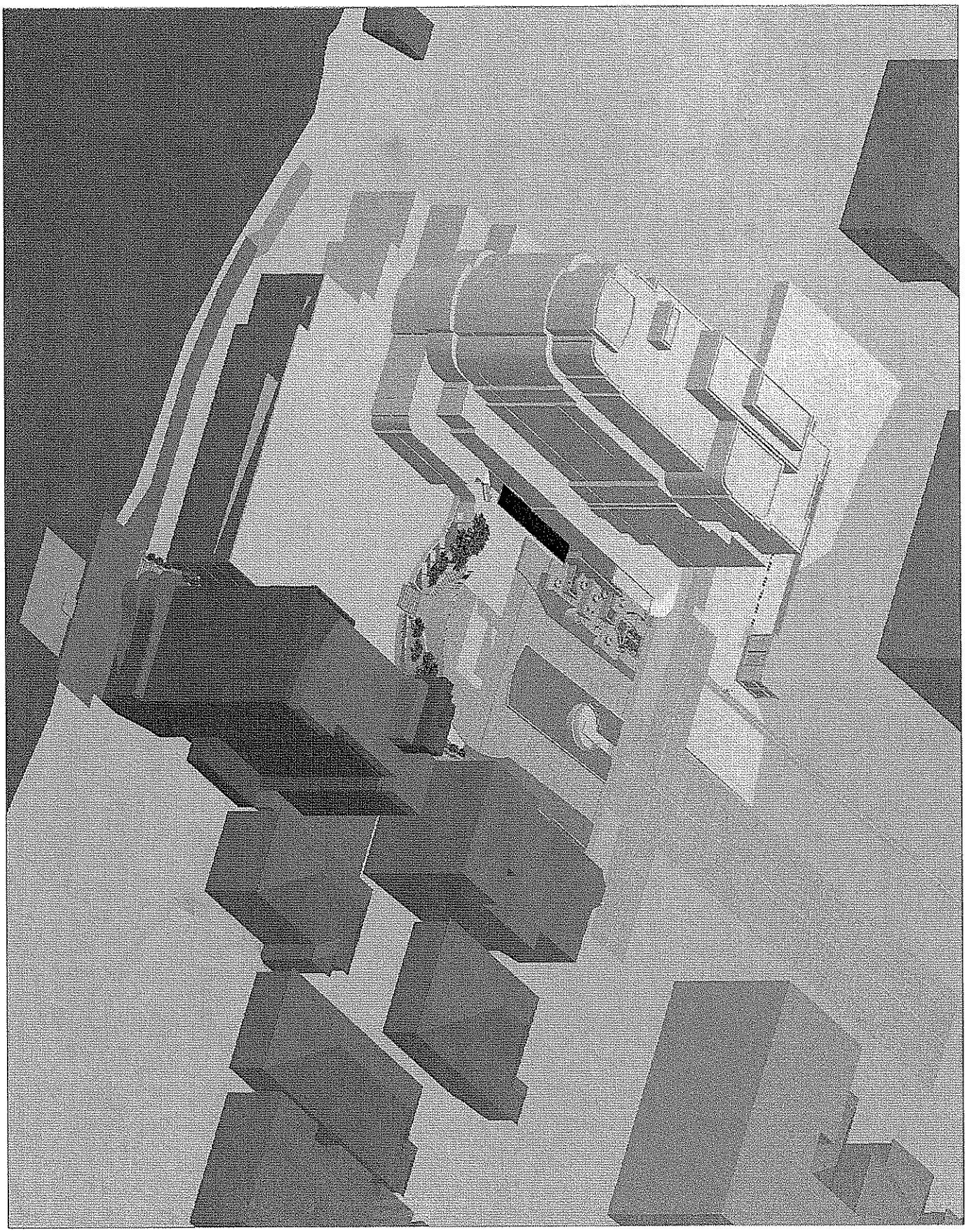
- There is no public agreement governing critical issues of public use of the plaza:
  - Public seating locations and general usage priorities
  - Alcohol usage, especially at the café area
  - Hours of operation
- The public restrooms are woefully inadequate.
- The path from the parking ramp to the public plaza extends through the hotel.
- The location of the surface entry and exit of the parking ramp is too close to Wisconsin Avenue, and no dimension is given of the critical side yard setback.

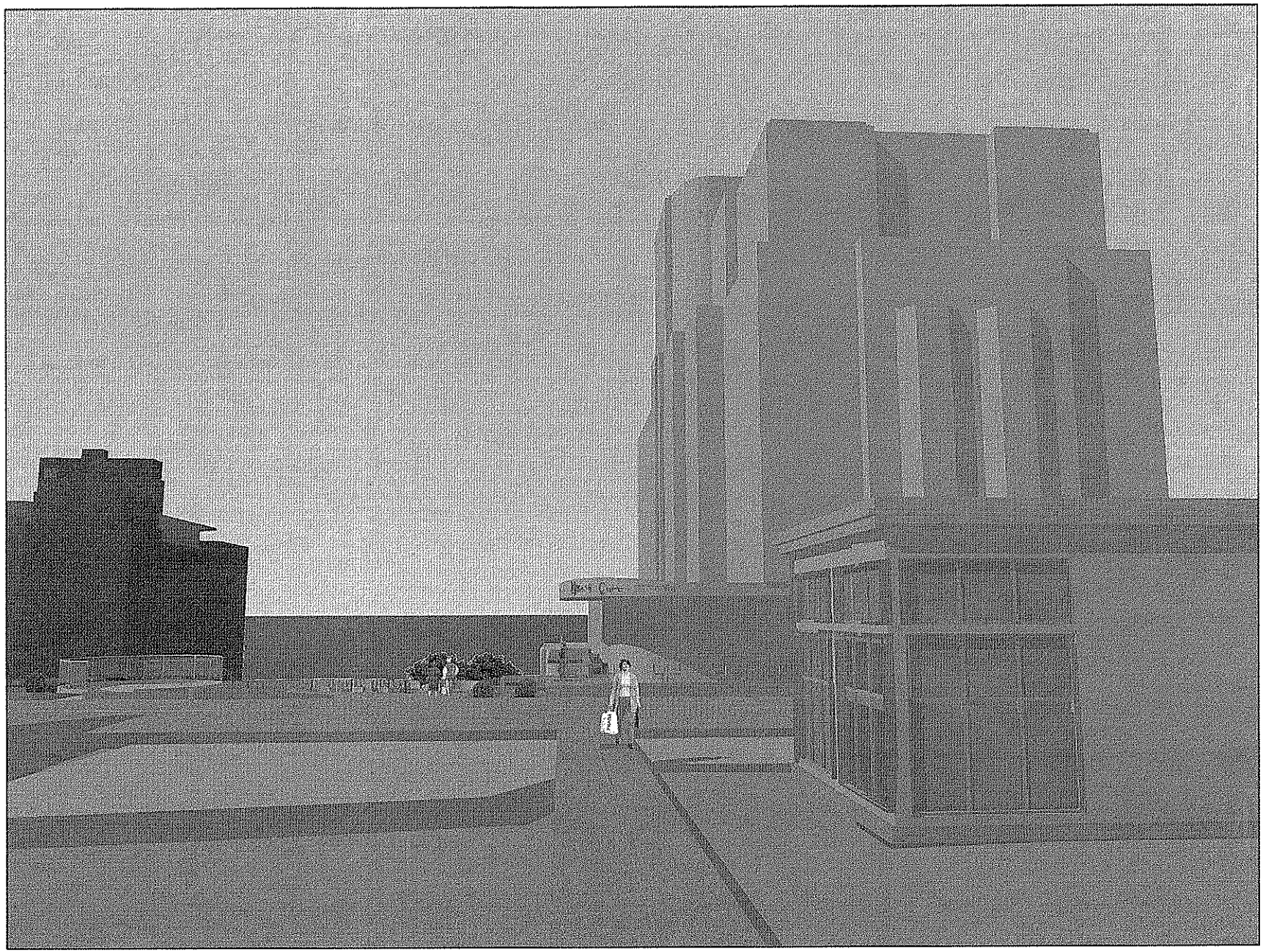
Key drawings are missing

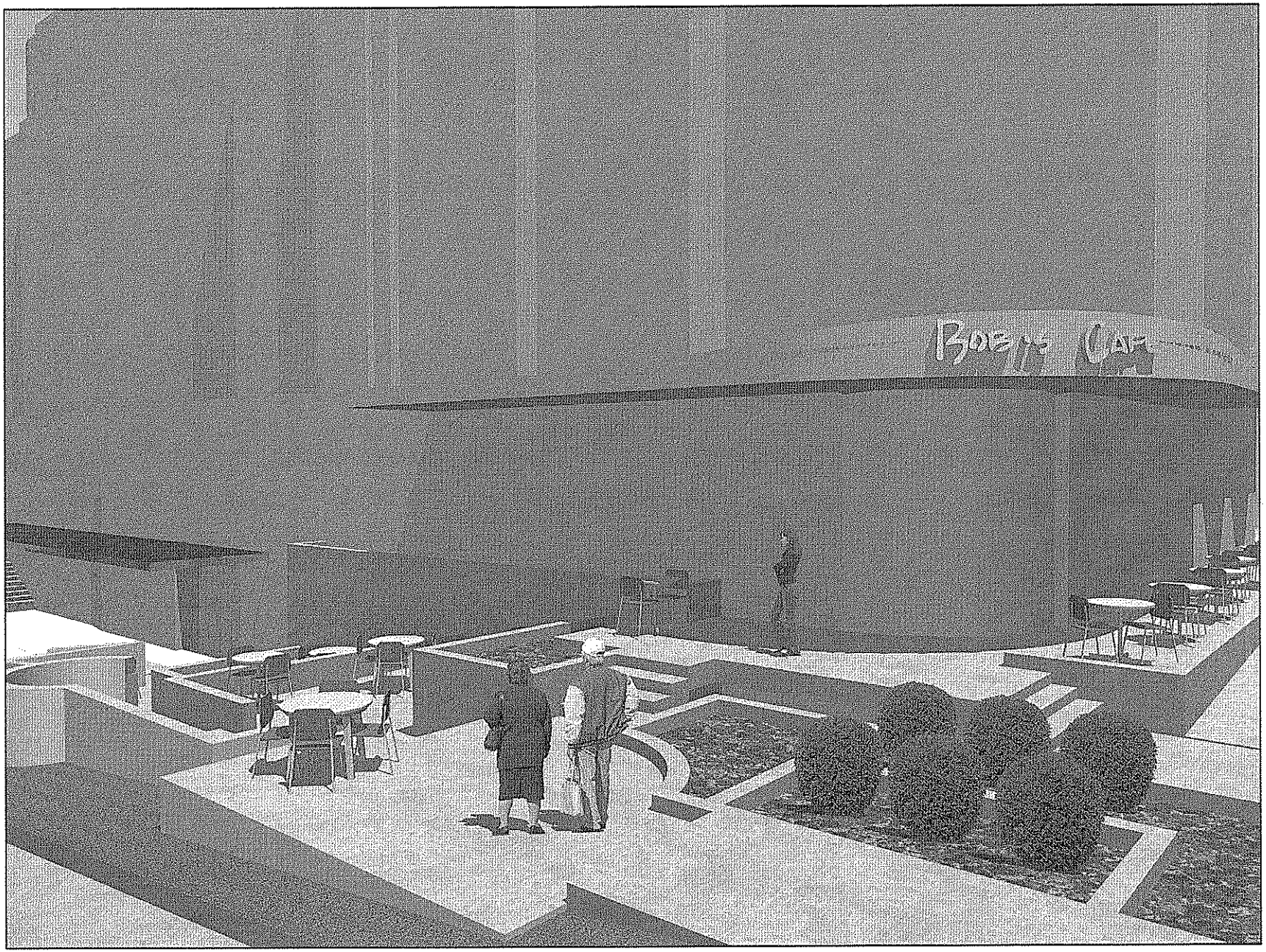
- no sections or details of the planters and terraces
- no details of the new surface entry to the parking ramp
- no details of the original Edgewater rooftop tower demolition (see photo)
- no details of handrails and guardrails especially for the public area
- no indications of signage and lighting

There are too many inconsistencies in the submitted documentation

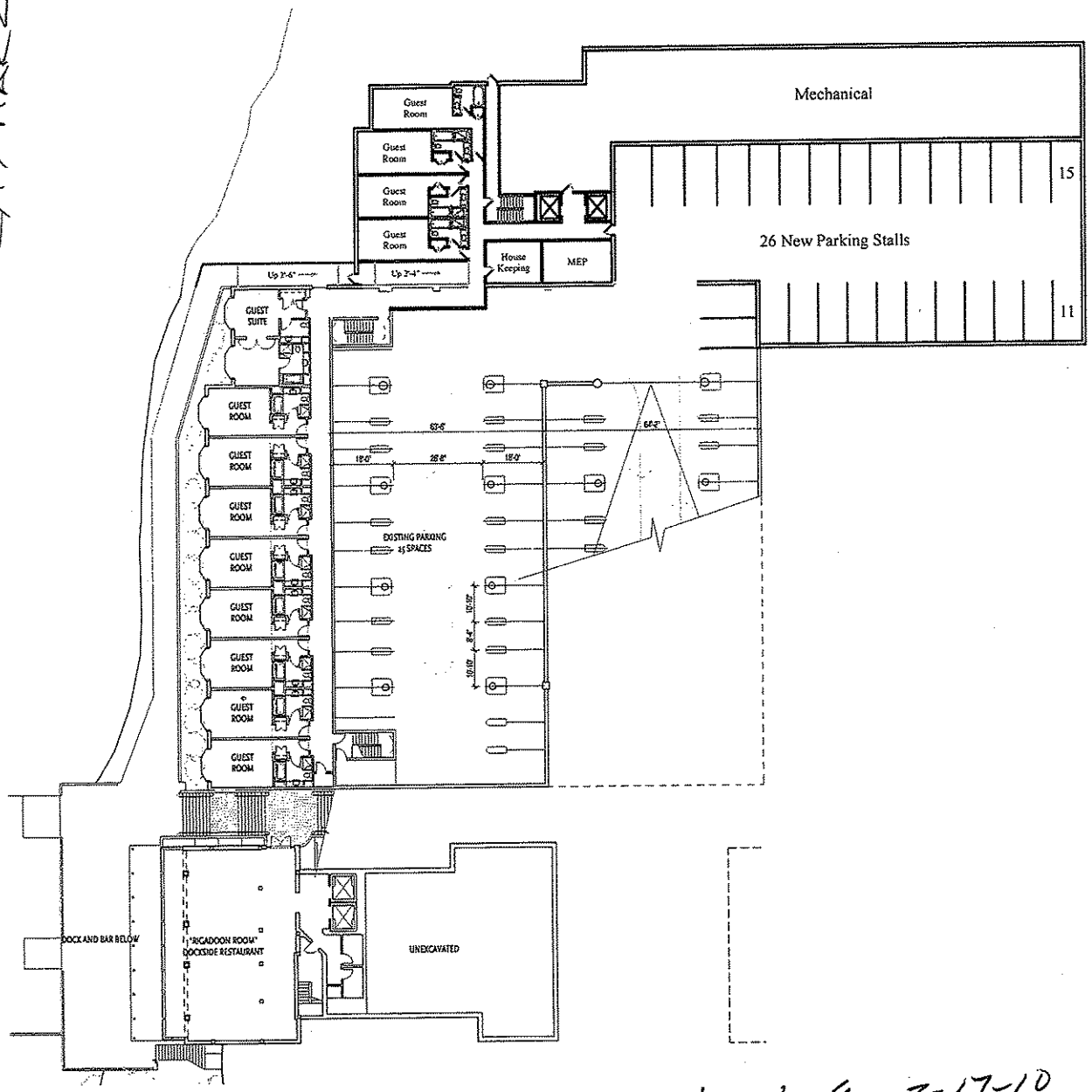
- Page A107 of the plan shows an unintended 4-foot floor projection at the lakeside of the building in which there are 10 doors that open to a 20-foot drop to the terrace!
- The landscaping in the plan does not match the landscaping in the elevations, and it is not shown at all in the perspectives.
- The "grand stairway" is different in the plans and in the elevations.
- Handrails and guardrails are sometimes shown in the plan, are mostly shown in the elevations but are too small to see clearly, are incomplete and deceptive in the perspectives, and are inconsistent among all of them.






BOB'S CAFE

McFADDEN ALTERNATIVE
- PRESENTED TO UDC, 17 MAR 2010

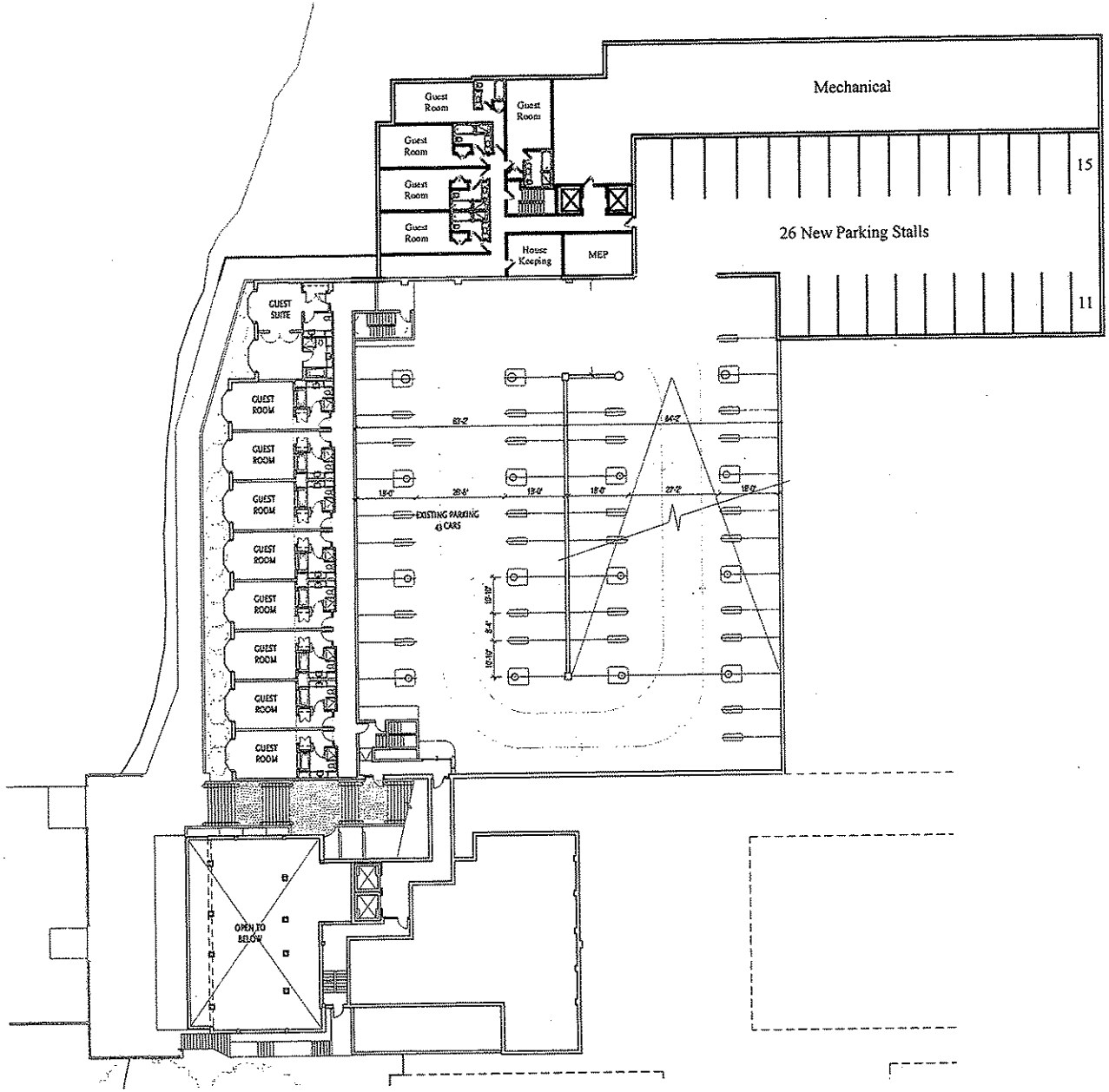


Passed No. 9 3-17-10

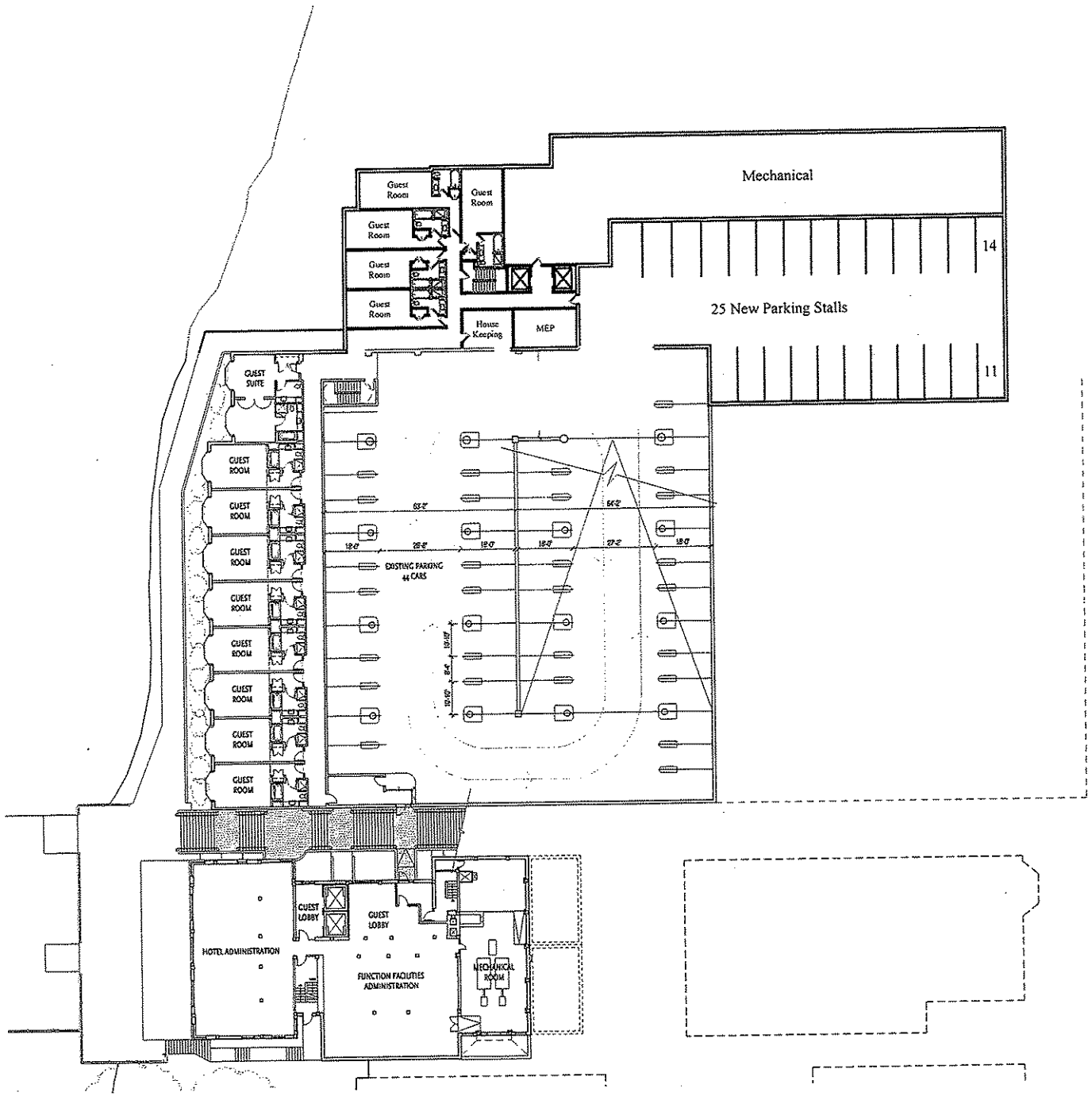
Parking

Existing Building:		
Lower Level 6		25
Lower Level 5		43
Lower Level 4		44
Lower Level 3		47
Sub Total	159	
Under Building:		
Lower Level 6		26
Lower Level 5		26
Lower Level 4		25
Lower Level 3		25
Sub Total	102	
Outside Building (NGL):		
Upper Level 3	63	
Upper Level 2		60
Lower Level 1		63
Sub Total	186	
Total Parking		
As Required	450+	
As Proposed	355	
As Reconsidered	447	

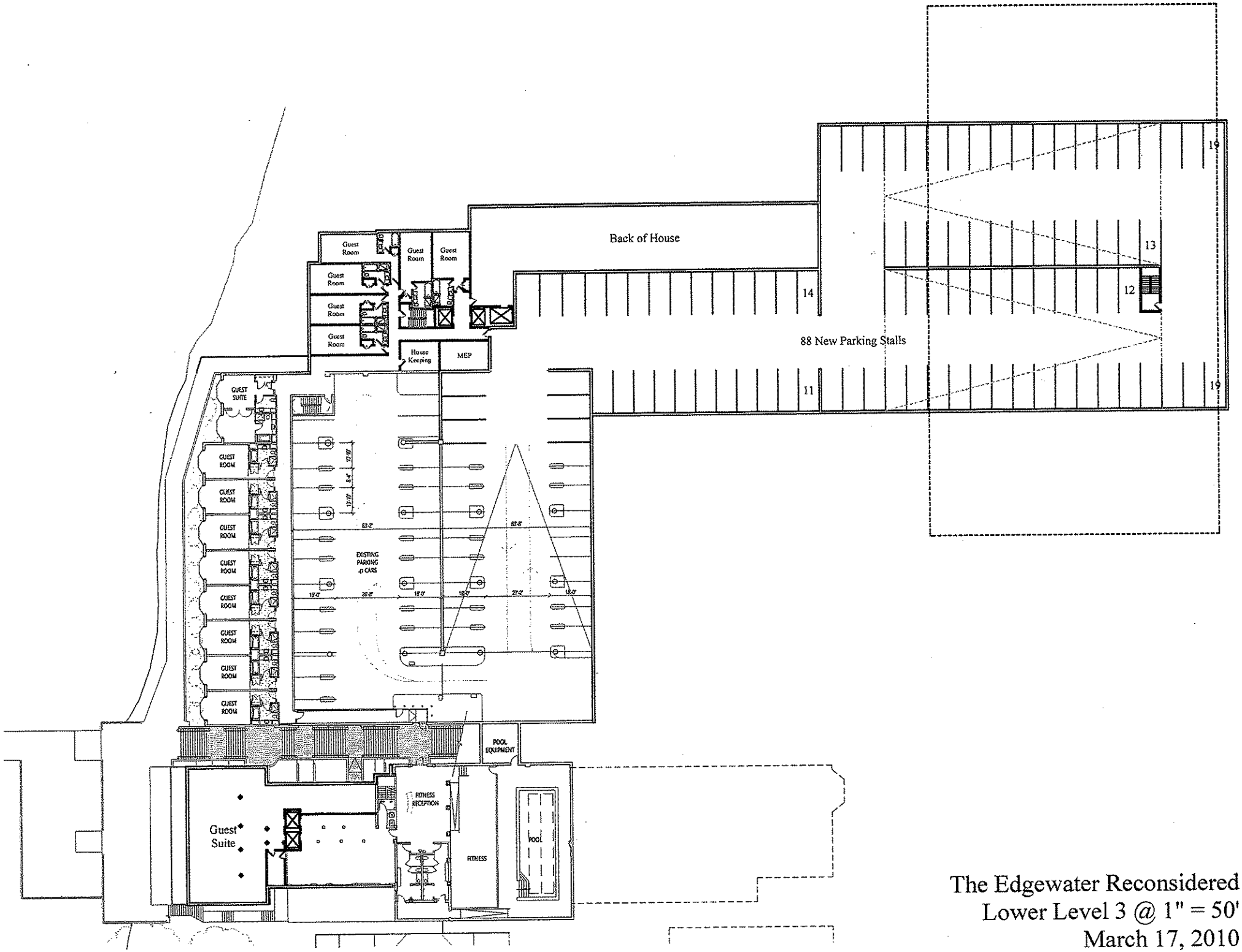
The Edgewater Reconsidered
Lower Level 6 @ 1" = 50'
March 17, 2010



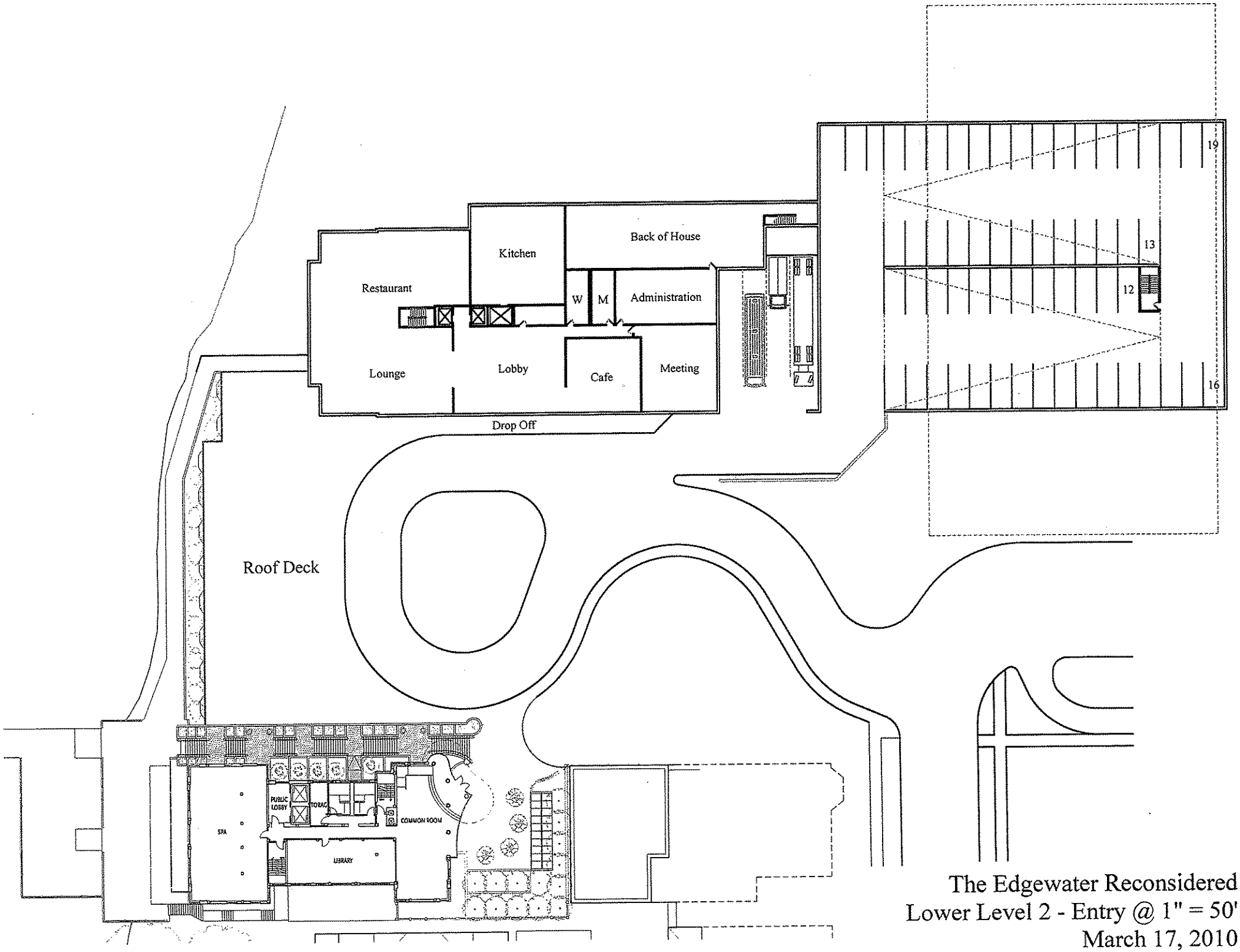
The Edgewater Reconsidered
Lower Level 5 @ 1" = 50'
March 17, 2010



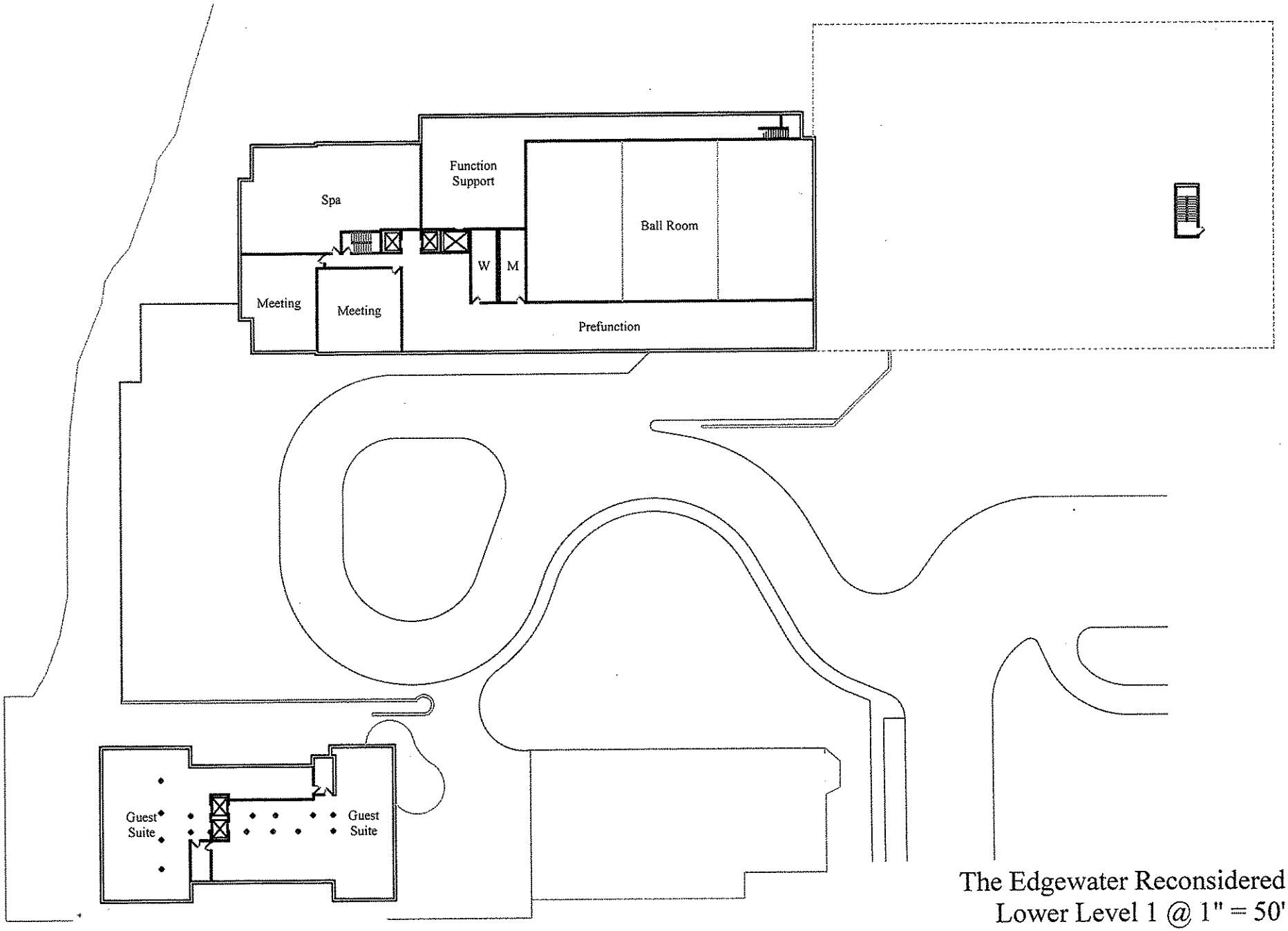
The Edgewater Reconsidered
Lower Level 4 @ 1" = 50'
March 17, 2010



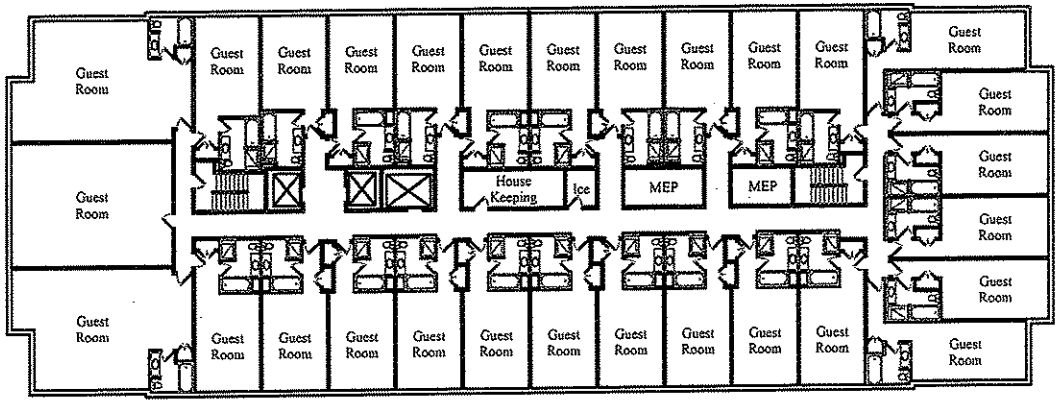
The Edgewater Reconsidered
Lower Level 3 @ 1" = 50'
March 17, 2010

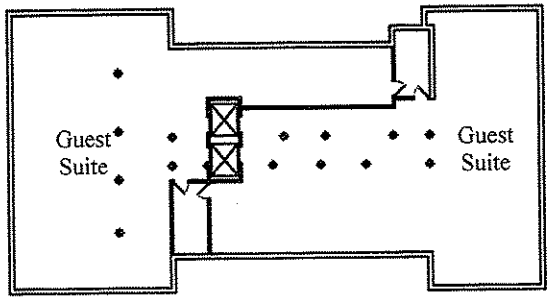


The Edgewater Reconsidered
Lower Level 2 - Entry @ 1" = 50'
March 17, 2010

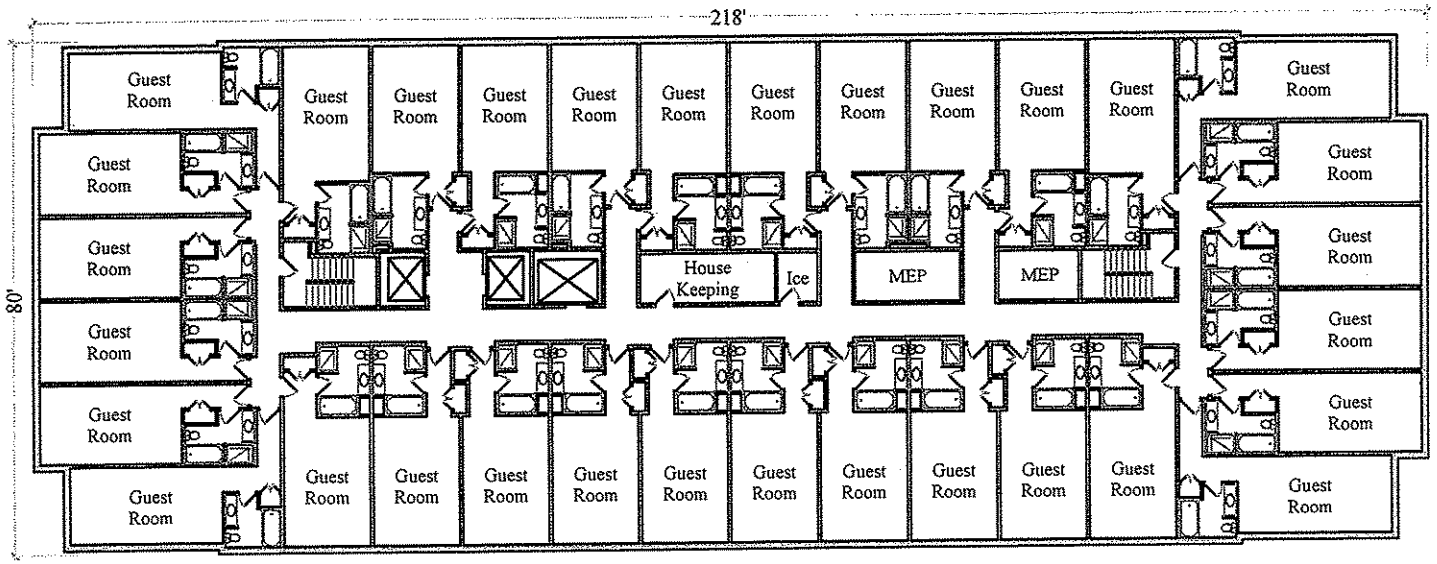


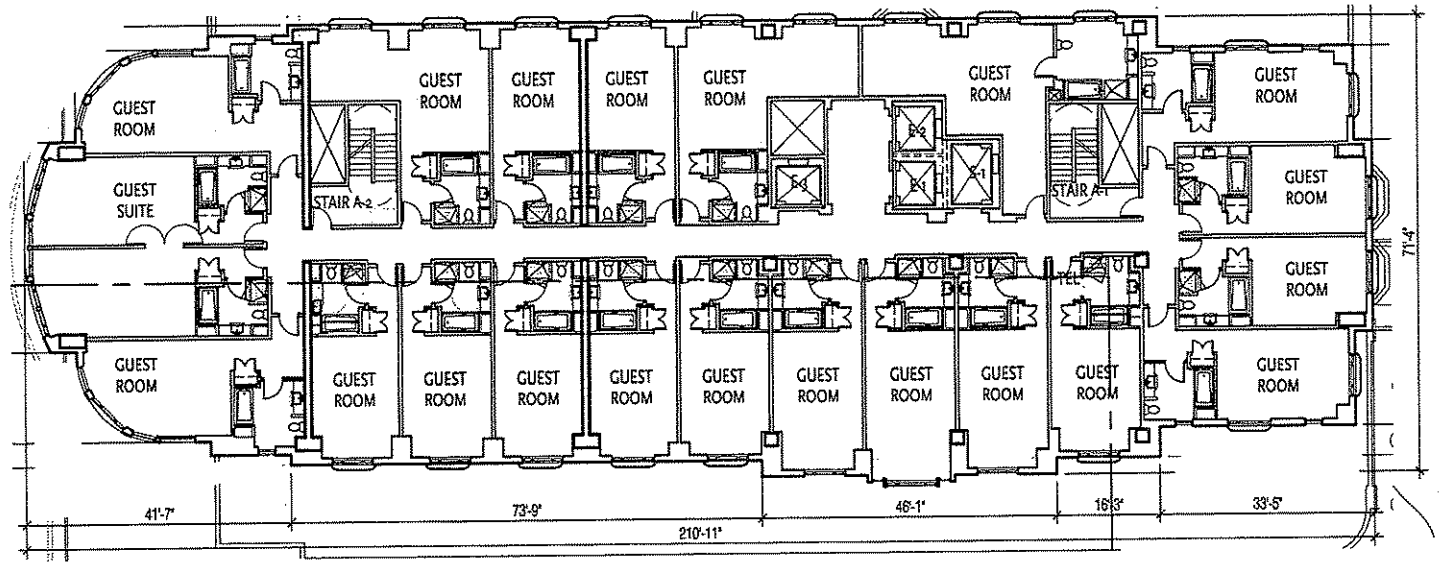
The Edgewater Reconsidered
Lower Level 1 @ 1" = 50'
March 17, 2010





The Edgewater Reconsidered
Floors 2 & 3 @ 1" = 40'
March 17, 2010





The Edgewater Reconsidered
Typical Floor Plans Compared @ 1" = 30'
March 17, 2010