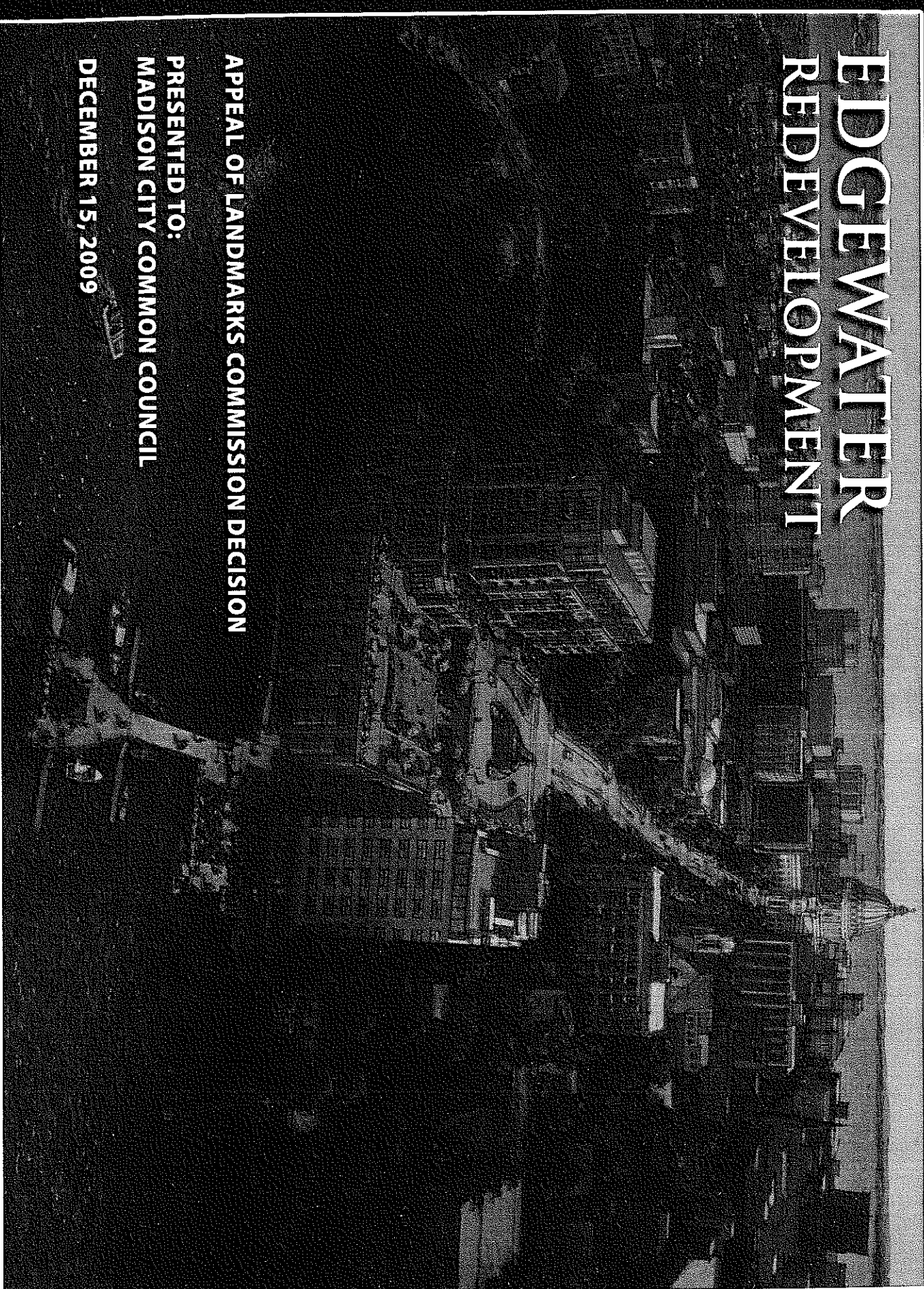


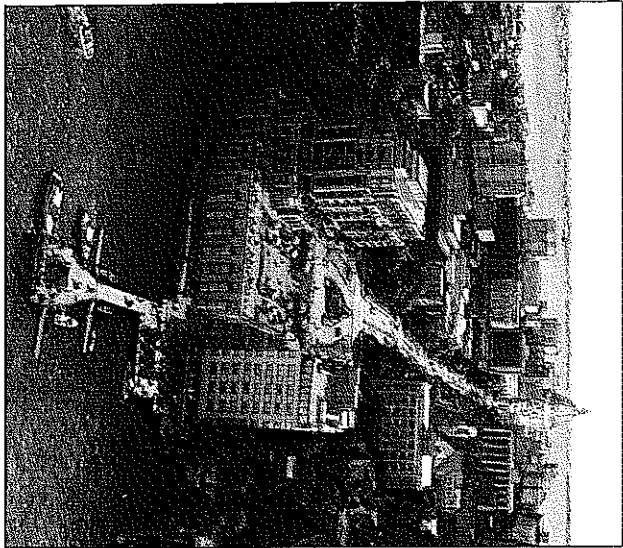
EDGEWATER REDEVELOPMENT

APPEAL OF LANDMARKS COMMISSION DECISION

PRESENTED TO:
MADISON CITY COMMON COUNCIL

DECEMBER 15, 2009





PRESENTATION OVERVIEW

Landmark X, LLC, a Wisconsin based Limited Liability Corporation, has requested that the Common Council grant a Certificate of Appropriateness pursuant to the appeal process set forth in the Landmarks Ordinance. This presentation demonstrates the findings that support the Common Council granting the Certificate of Appropriateness:

- The Project meets each of the standards defined in the Purpose and Intent of the Landmarks Ordinance;
- The "Guideline Criteria for New Development in the Mansion Hill Historic District" are broadly defined. We will demonstrate that we satisfy all five (5) criteria in the Landmarks Ordinance that determine visual compatibility;
- We will demonstrate that the "public interest in preservation" can only be accomplished through the "owner's interest" in redevelopment of the Edgewater;
- The restriction of the Certificate of Appropriateness will preclude the reasonable use of the Property and/or create a hardship for the Owner that is not self-created.

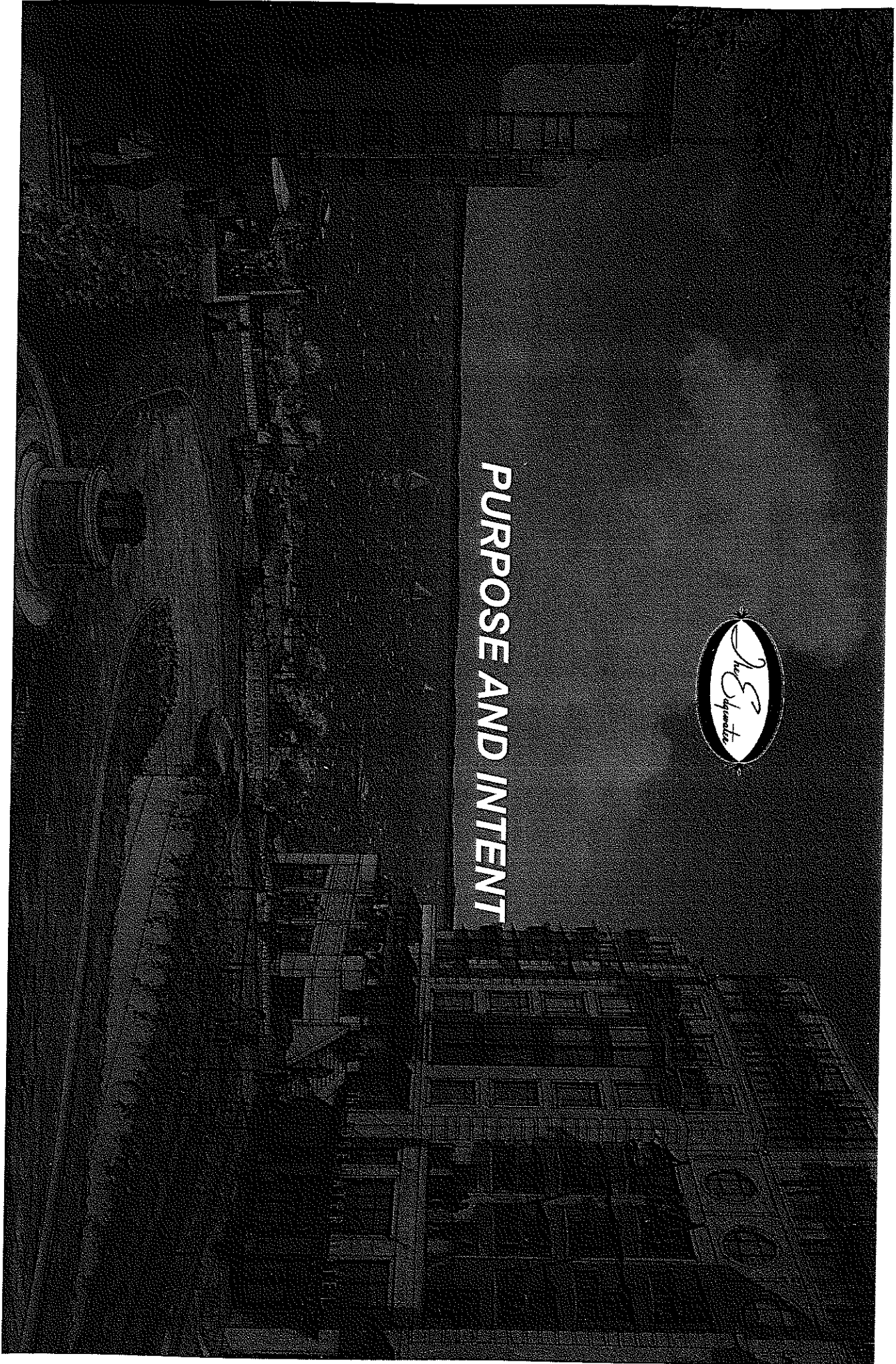
Landmark

Presentation Overview

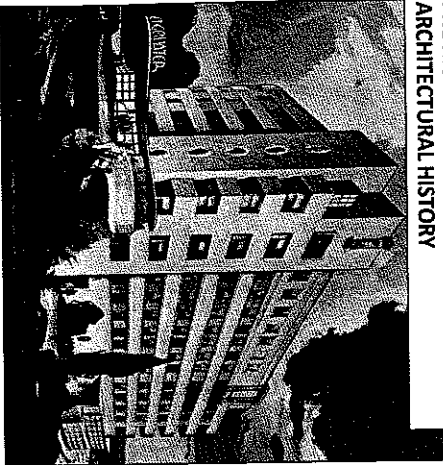
The Edgewater Hotel



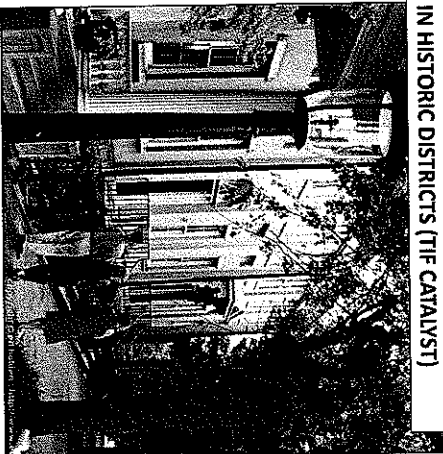
PURPOSE AND INTENT



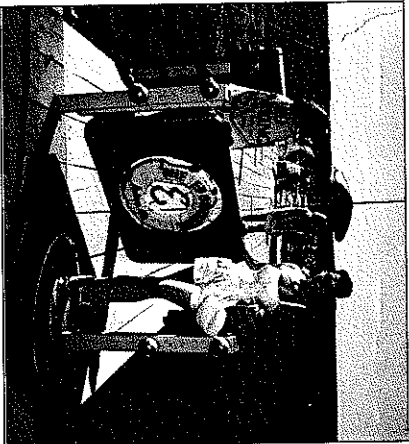
**PROTECT & ENHANCE
ARCHITECTURAL HISTORY**



**PERPETUATE IMPROVEMENTS
IN HISTORIC DISTRICTS (TIF CATALYST)**



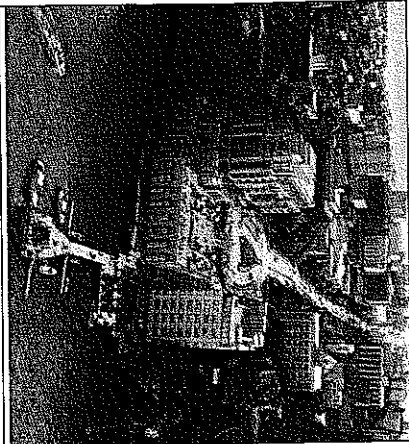
**SAEGARD THE CITY'S
CULTURAL HISTORY ("LAKE CULTURE")**



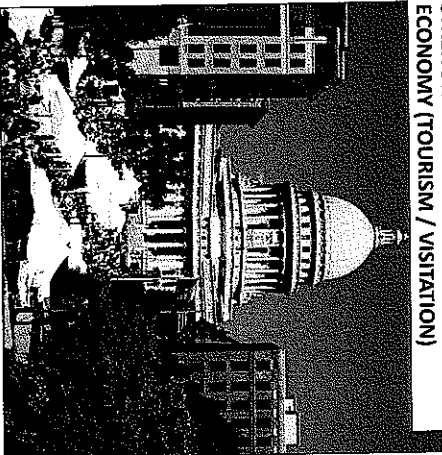
**FOSTER CIVIC PRIDE IN THE BEAUTY AND
NOBEL ACCOMPLISHMENTS OF PAST**



**STABILIZE AND IMPROVE
PROPERTY VALUES**



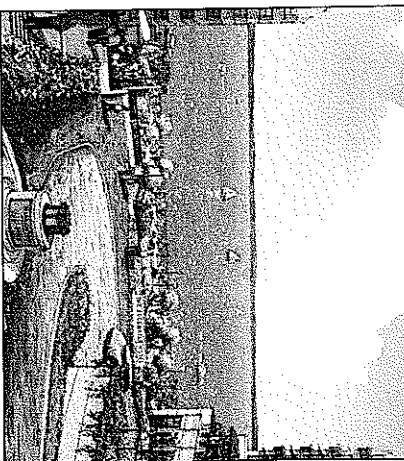
**STRENGTHEN THE
ECONOMY (TOURISM / VISITATION)**



**SERVE AS A STIMULUS
TO BUSINESS & INDUSTRY**



**PROMOTE USE OF HISTORIC DISTRICTS FOR
PLEASURE & WELFARE OF THE PEOPLE**



Landmark

**Landmarks Ordinance
Purpose and Intent**

**The Edgewater Hotel
Section 1.0 – Page 1**

LANDMARKS ORDINANCE MGO 33.19(1)

Purpose and Intent. It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements of special character or special historical interest or value is a public necessity and is required in the interest of health, prosperity, safety and welfare of the people. The purpose of this section is to:

- (a) Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the City's cultural, social, economic, political and architectural history.
- (b) Safeguard the City's historic and cultural heritage, as embodied and reflected in such landmarks and historic districts.
- (c) Stabilize and improve property values.
- (d) Foster civic pride in the beauty and noble accomplishments of the past.
- (e) Protect and enhance the City's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.
- (f) Strengthen the economy of the City.
- (g) Promote the use of historic districts and landmarks for the education, pleasure and welfare of the people of the City.

**The Common Council Must Balance Preservation with Broad
Public Interest in Determining Visual Compatibility.**

 **Landmark**

Landmarks Ordinance

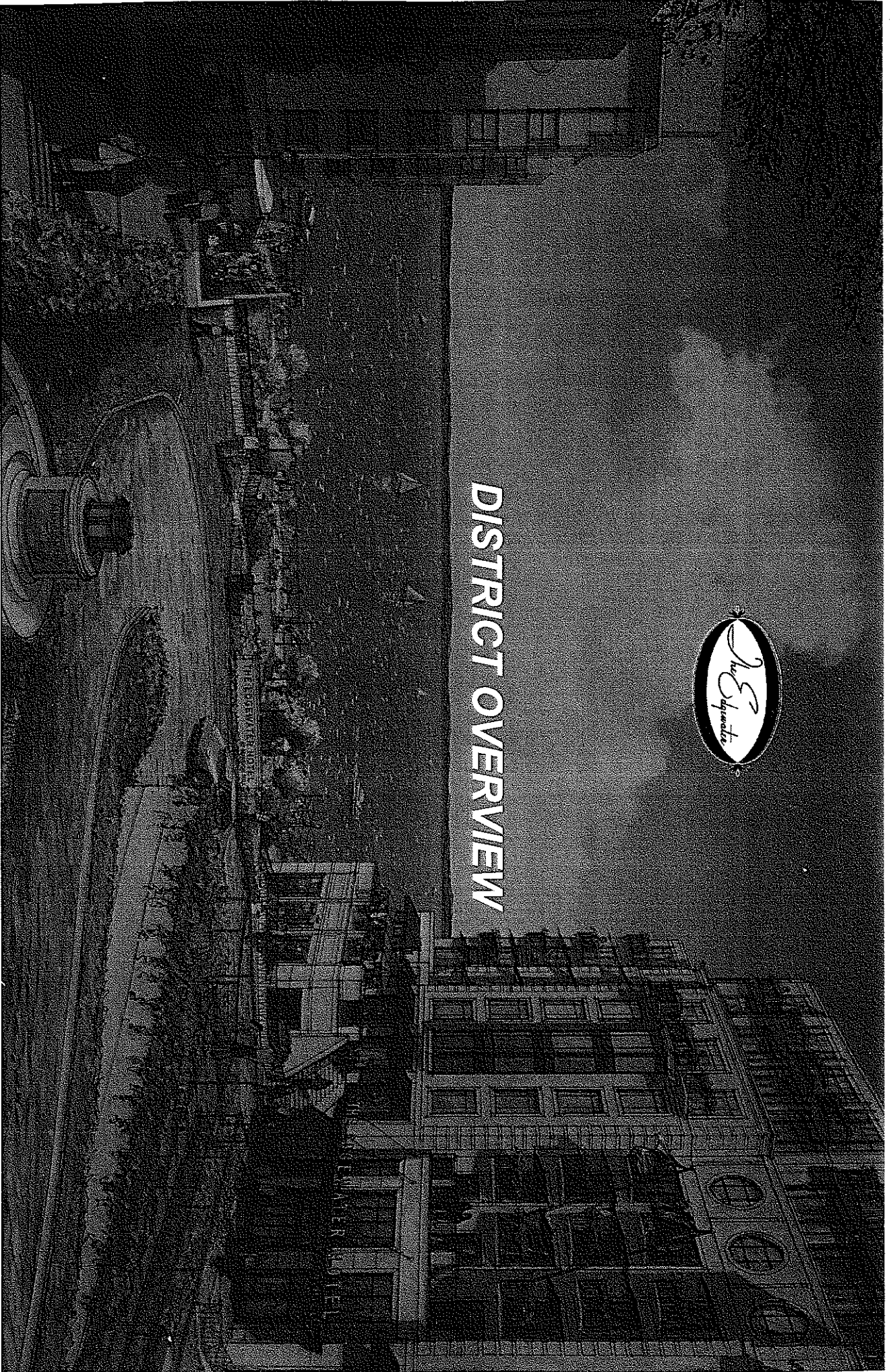
Purpose and Intent

The Edgewater Hotel

Section 1.0 – Page 2



DISTRICT OVERVIEW



MANSION HILL...A DIVERSE HISTORIC DISTRICT

The Mansion Hill Historic District is a diverse, urban mixed-use district integrated into the core of the downtown area. The pages that follow demonstrate some of the key relationships that exists between the buildings and environment within the Mansion Hill Historic District, including:

- **Diversity.** The Mansion Hill Historic District has a broad compliment of uses. The iconic Edgewater Hotel is certainly one of the most significant buildings in the Mansion Hill Historic District that defines it's cultural heritage.
- **Environment.** The civic importance of Wisconsin Avenue and its connection to Lake Mendota are important elements that define the environment of the Mansion Hill Historic District.
- **Architectural Character.** The Mansion Hill Historic District includes some of Madison's most historic buildings. The original Edgewater Hotel is one of the most recognized buildings in the Historic District.
- **Compatibility.** For more than a century, the buildings in the Mansion Hill Historic District have evolved around a broad pattern of architecture, size, volume and height.
- **Evolutionary.** The character of the Mansion Hill Historic District is dependent upon continued reinvestment and revitalization of its most important assets. The Edgewater defines this philosophy. Ironically, the balancing of preservation with public interests is accomplished through the proposed Edgewater Redevelopment.

The Landmarks Ordinance was Authored to Respond to the Diverse Historic Character of the Mansion Hill Historic District.



District Overview...A Diverse Context

Section Overview

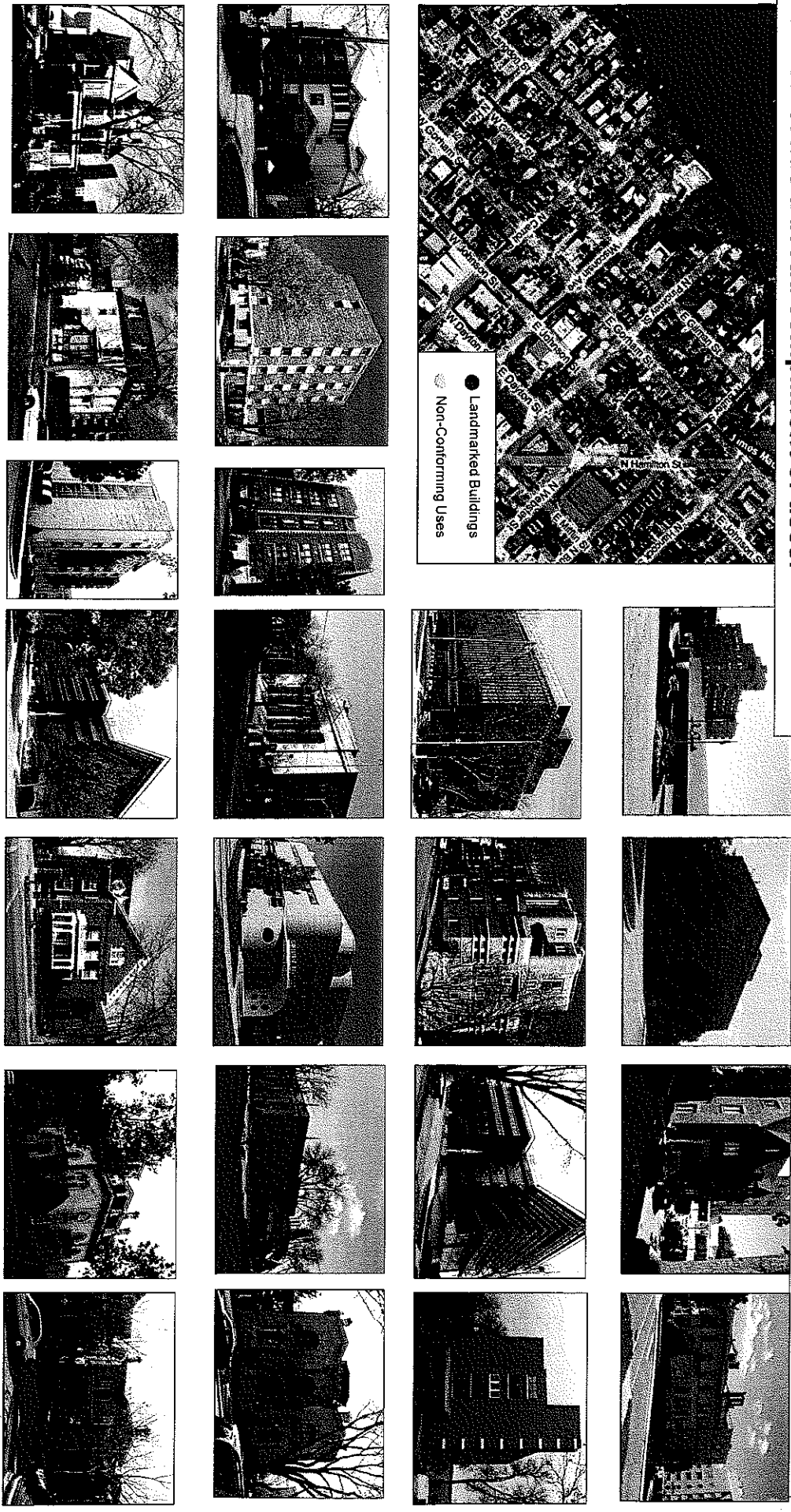
The Edgewater Hotel

Section 2.0 – Page 1

The District has a broad compliment of uses.



DIVERSITY



Landmark

District Overview...A Diverse Context

Diversity

The Edgewater Hotel

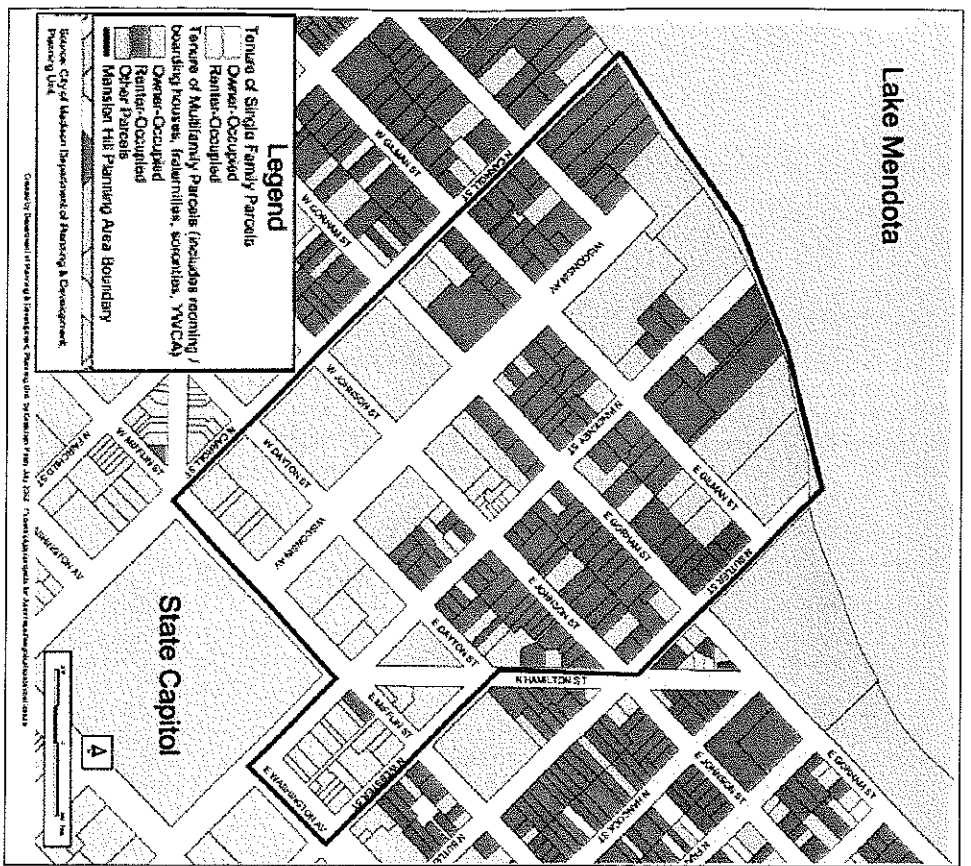
Section 2.0 – Page 2



DIVERSITY

DISTRICT OVERVIEW... A DIVERSE CONTEXT

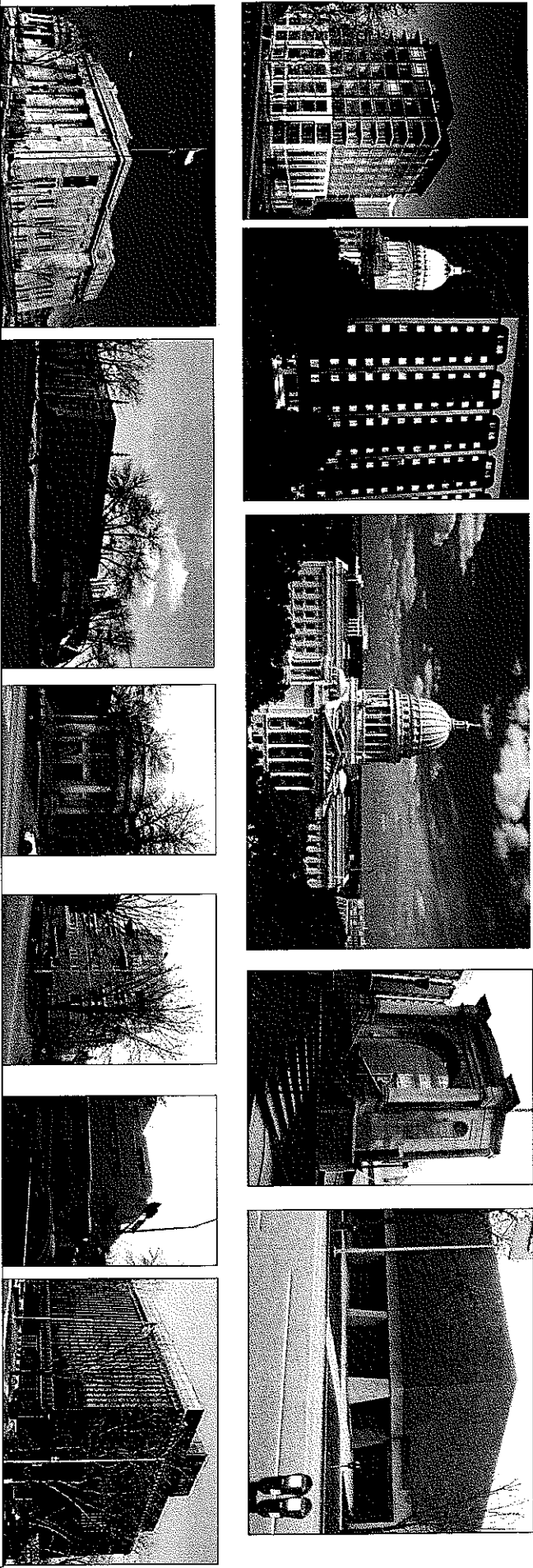
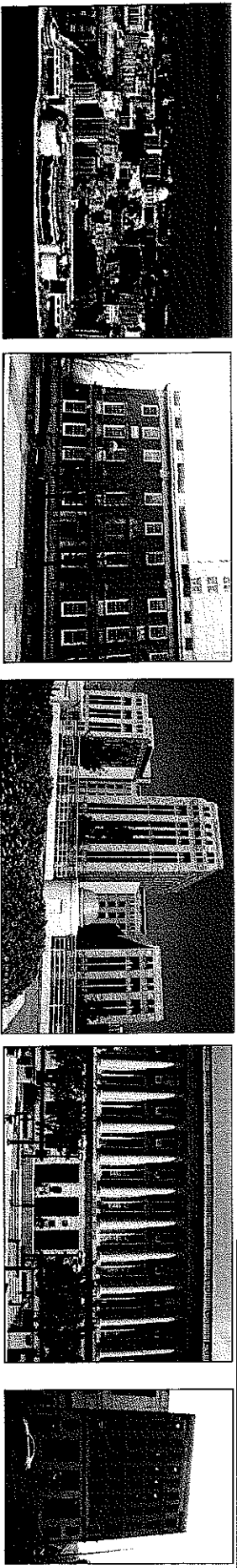
- The Mansion Hill Historic District has an urban pattern blending commercial and residential uses side-by-side;
- The civic and commercial buildings in the neighborhood are largely concentrated on Wisconsin Avenue and along the lakefront;
- The development pattern along the lakefront has a higher density than other areas of the district;
- Several buildings in the district are in excess of 5 stories/50 feet;
- The area surrounding the Edgewater is particularly dense with several multifamily buildings;



Source: Capitol Neighborhoods, Inc.
Draft Neighborhood Plan – January 2009



ENVIRONMENT



Wisconsin Avenue has a Strong Orientation to Madison's Primary Civic, Cultural and Commercial Corridors.

Landmark

District Overview...A Diverse Context

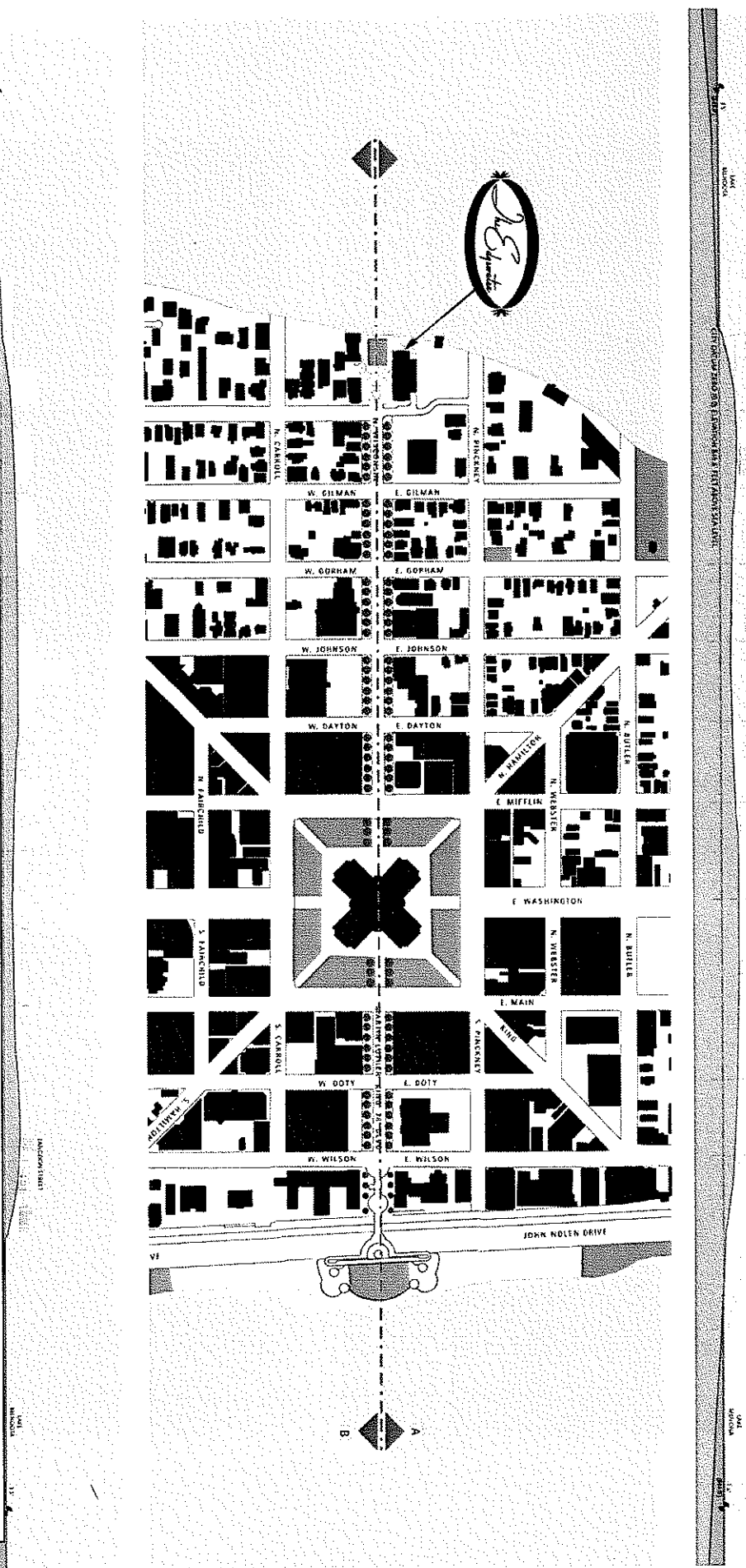
Environment

The Edgewater Hotel

Section 2.0 – Page 4



ENVIRONMENT

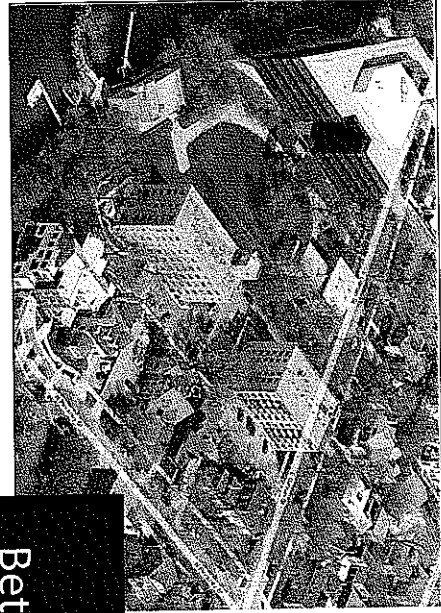


The Edgewater is the Terminus to Wisconsin Avenue and Compliments the Civic & Public Nature of this Boulevard in Relation to the State Capitol & Monona Terrace

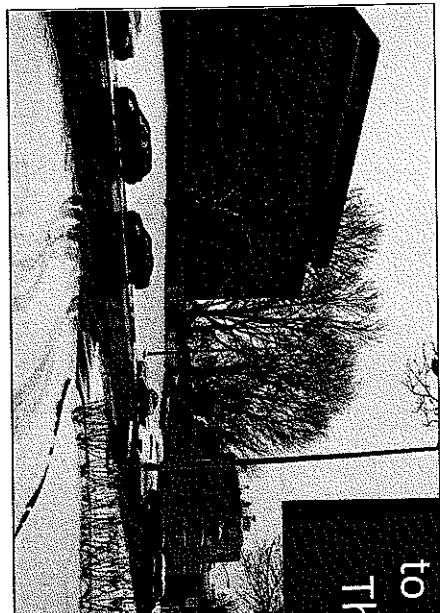
Landmark

District Overview...A Diverse Context	The Edgewater Hotel
Environment	Section 2.0 – Page 5

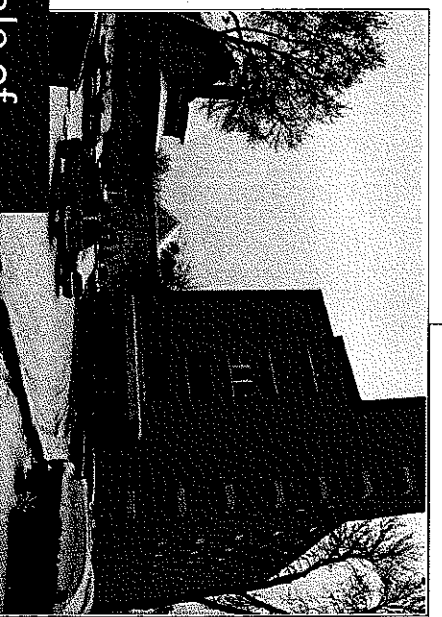
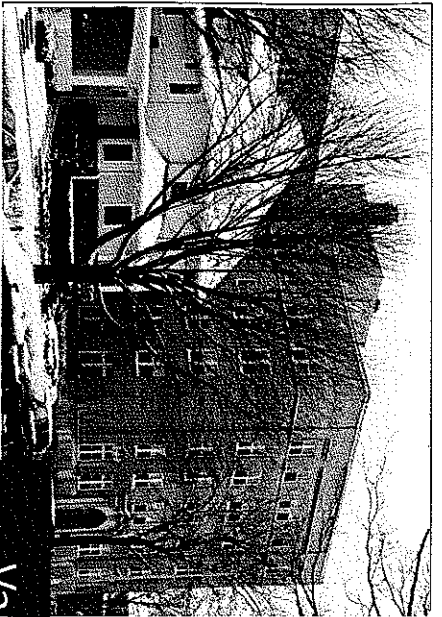
COMPATIBILITY



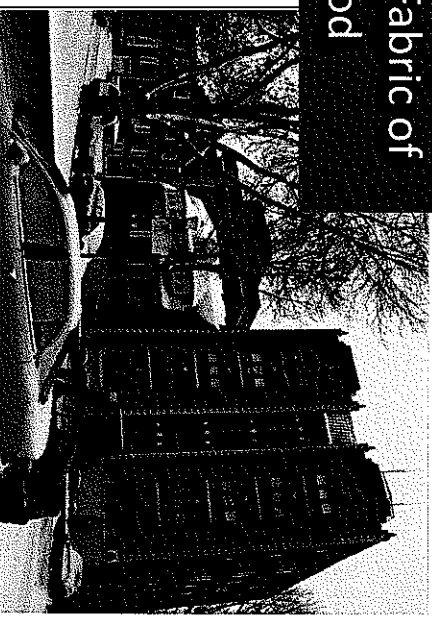
The Relationships Between Existing Buildings Demonstrates a Pattern of Large-Scale Buildings Adjacent to Smaller-Scale Buildings Throughout the District.



COMPATIBILITY



Variations in the Scale of Adjacent Development exists between Historical Buildings and is Part of the Historic Fabric of the Neighborhood

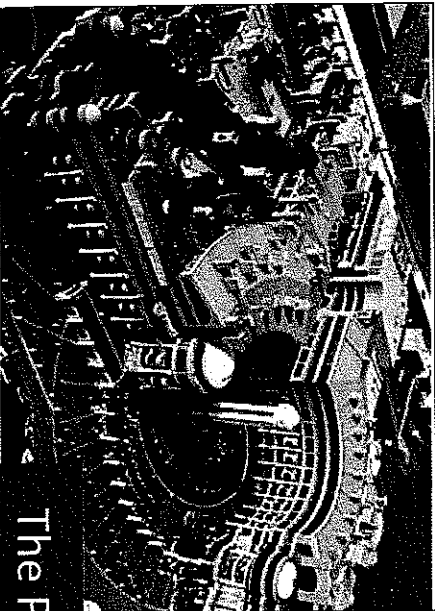


 **Landmark**

District Overview...A Diverse Context
Compatibility

The Edgewater Hotel
Section 2.0 – Page 7

EVOLUTIONARY

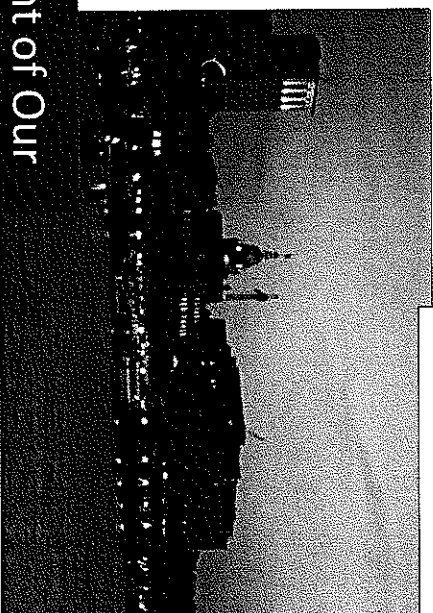


Georgetown, Washington DC



Astra Street, Illinois

The Purpose and Intent of Our Landmarks Ordinance Defines How Recognized Historic Districts Throughout America Have Thrived.



Savannah Riverfront, Georgia



Beacon Hill, Massachusetts

 **Landmark**

District Overview...A Diverse Context

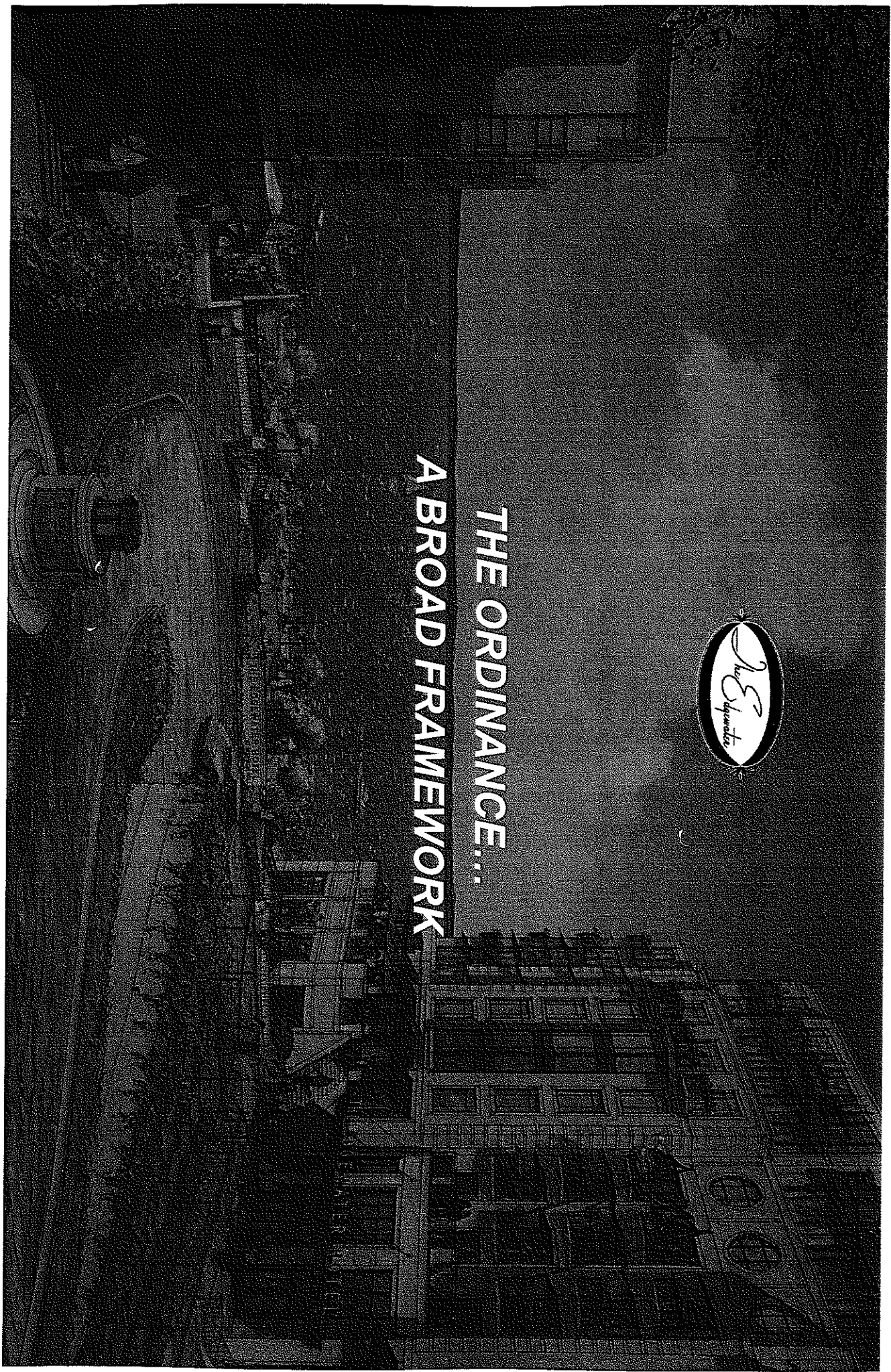
Evolutionary

The Edgewater Hotel

Section 2.0 – Page 8




**THE ORDINANCE...
A BROAD FRAMEWORK**



THE LANDMARKS ORDINANCE...A BROAD FRAMEWORK

The Landmarks Ordinance applies very broad criteria in the determination of visual compatibility. While the literal language of the Landmarks Ordinance is very broad, there are no specific standards, metrics or measurements within the Landmarks Ordinance that define how to apply these criteria. As a result, many questions evolve in the application of the Landmarks Ordinance.


- How is the Visually Related Area defined?
- The Landmarks Ordinance clearly speaks to the buildings and environment within the VRA. How is environment considered in the application of the Landmarks Ordinance?
- Is the Project considered as a “whole” or its “component parts”?
- Are existing structures within the VRA considered (e.g. 1940’s Edgewater)?
- What defines a “visual” relationship?
- When are the Guideline Criteria applied?

 Landmark	The Ordinance...A Broad Framework Overview	The Edgewater Hotel Section 3.0 – Page 1
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THE ORDINANCE...A BROAD FRAMEWORK DEFINITION OF VISUALLY RELATED AREA (VRA)

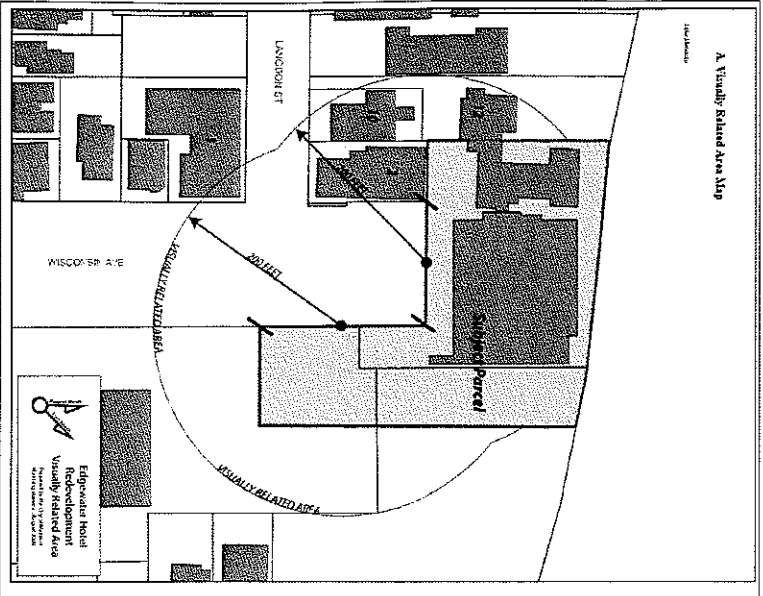
The Mansion Hill Guideline Criteria for New Development establish a visually related area (the "VRA") within which the compatibility of the Project is compared. The key definitions that influence the determination of the VRA are:

- Visually related area for a parcel within a block (not a corner parcel) MGO 33.19(2) shall be defined as the area described by a two hundred (200) foot circle drawn from the center point of the street side (front) lot line.
- Visually related area for a corner parcel MGO 33.19(2) shall be defined as the area described by a circle drawn on a two hundred (200) foot radius, the center being the center of the corner parcel, i.e. the intersection of diagonals from the principal corners of that parcel.
- Lot, Corner. MGO 29.03(2) A corner lot is a lot of which at least two adjacent sides about for their full lengths upon a street, provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five (135) degrees.
- Lot Line, Front. MGO 28.03(2) The front lot line in the case of a lot abutting upon only one street, shall mean the line separating such lot from such street. In the case of any other lot, the owner shall, for the purpose of this ordinance, have the privilege of electing any street lot line the front long line, providing that such choice, in the opinion of the Zoning Administrator, will not be injurious to the existing, or to the desirable future development of adjacent parcels.

 <h1 style="margin: 0;">Landmark</h1>	<p>The Ordinance...A Broad Framework Definition of Visually Related Area</p>	<p>The Edgewater Hotel Section 3.0 – Page 2</p>
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A Visually Related Area Map



Visually Related Area
Provided by the City of Madison, August, 2009

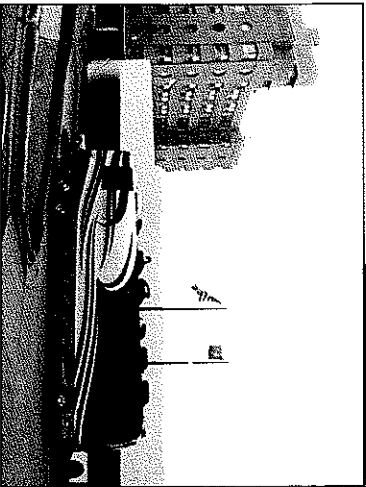
THE ORDINANCE...A BROAD FRAMEWORK DEFINITION OF VISUALLY RELATED AREA (VRA)

The Landmarks Ordinance does not clearly define how the VRA is measured or take into account the unique features of this site, including:

- Is the Edgewater site a "Corner Parcel" or "Not a Corner Parcel" (see definition)?
- Is the "Front Lot Line" a single point or multiple points as defined on this site (see definition)?
- Should the "Front Lot Line" be defined by the total site area (in this case the corner of Langdon and Wisconsin) or by the development parcel/turn-around?
- Does the VRA include only the structures within 200 feet or also the structures on any sites within 200 feet (e.g. the NGL Building)?
- How are the relationships of existing building measured?
- How do you account for the environment?

How is the Visually Related Area Defined?

The Landmarks Ordinance says Building and Environment.. How is Environment Considered?



Landmark

The Ordinance....A Broad Framework

How is the Environment Considered

The Edgewater Hotel

Section 3.0 -- Page 4



THE ORDINANCE...A BROAD APPLICATION OF THE STANDARDS DETERMINATION OF THE ENVIRONMENT

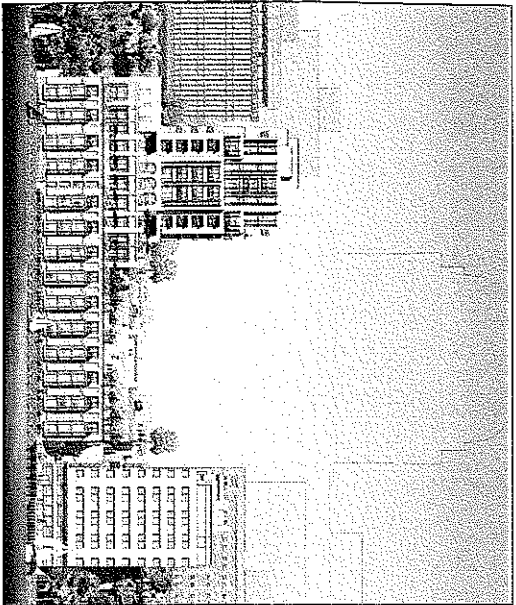
There is no clear definition of how the environment should be accounted for in the Landmarks Ordinance. With respect to the existing conditions and the proposed improvements that would be undertaken with the development the environment is a critical part of the discussion because:

- The street-end represents the majority of the area within the VRA;
- The construction of the 1970's building in the Wisconsin Avenue Right-of-Way disconnected the visual relationship of the site and its surroundings to the lake;
- Much of the topography that is a part of Mansion Hill was lost with the construction of the 1970's building;
- The utilization of the street-end (including the portion of the vacated street) under current vs. proposed conditions has a significant impact on the visual cues of the development;

Landmark

**The Ordinance...A Broad Framework
How is the Environment Considered**

**The Edgewater Hotel
Section 3.0 – Page 5**



THE ORDINANCE...A BROAD FRAMEWORK EVALUATING THE PROJECT AS A WHOLE OR COMPONENT PARTS

Uncoupling the Project into component parts is not consistent with the principle of balancing as described in the Landmarks Ordinance.

- Uncoupling the Project does not balance the benefit of the reduction of program in the 1970's building with the volume of new construction in the tower;
- Uncoupling the Project does not balance the public interest resulting from the creation of the Terrace at Mansion Hill and Grand Stair to the waterfront with the program requirements of the new hotel;
- Uncoupling the Project does not balance the relationships between existing/historic structures with new additions.

**Balancing Public Interests and the Landmarks Ordinance Criteria is
Achieved By Evaluating the Project as Whole vs. Component Parts.**

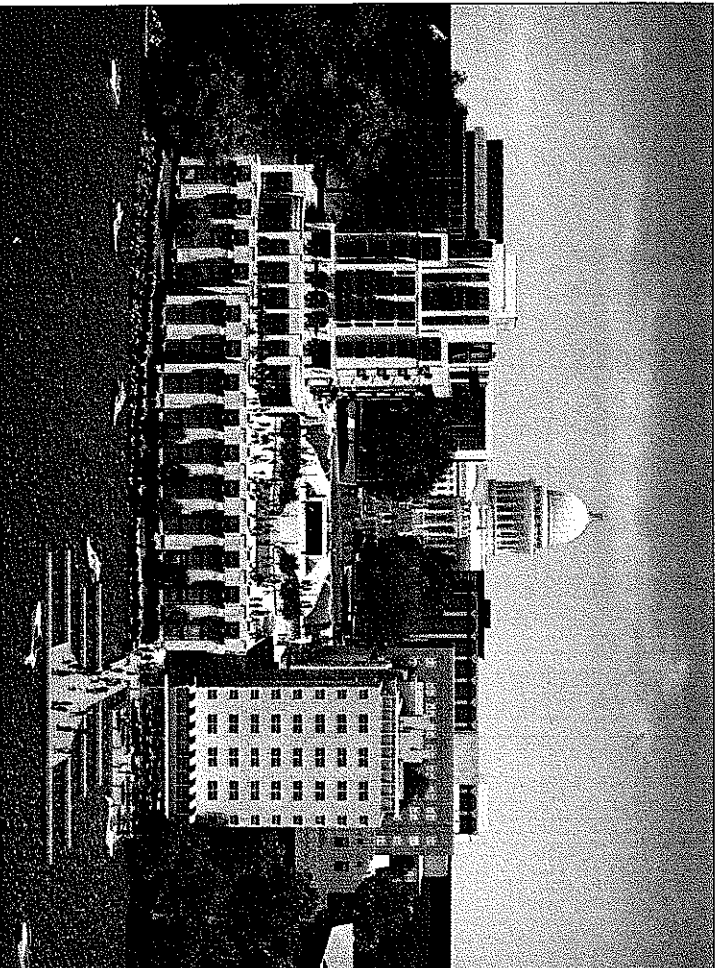
Landmark

**The Ordinance...A Broad Framework
Evaluation of the Project as a Whole vs. Parts**

**The Edgewater Hotel
Section 3.0 – Page 6**

THE ORDINANCE...A BROAD FRAMEWORK ARE EXISTING BUILDINGS IN THE VRA CONSIDERED?

The Landmarks Ordinance does not specially address how existing buildings are evaluated as part of the Visually Related Area. How can the analysis not consider the existing Edgewater Hotel and environment which are the most significant structures within the Visually Related Area?



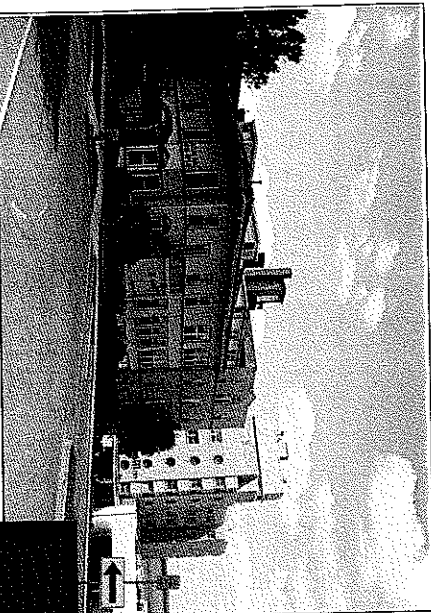
Is the 1940's Edgewater Building Not a Dominant Influence in the Visually Related Area?

Landmark

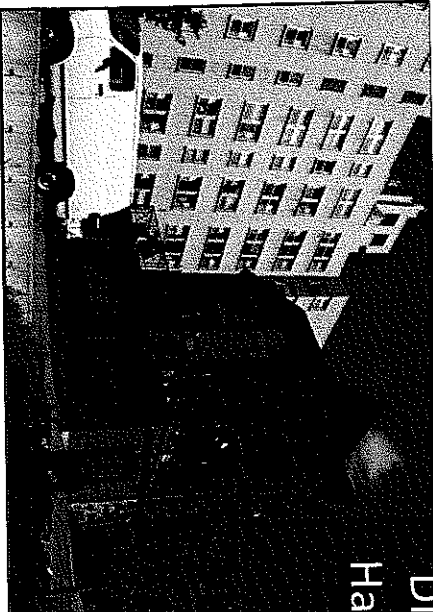


The Ordinance...A Broad Framework
How Are Existing Structures Considered

The Edgewater Hotel
Section 3.0 - Page 7

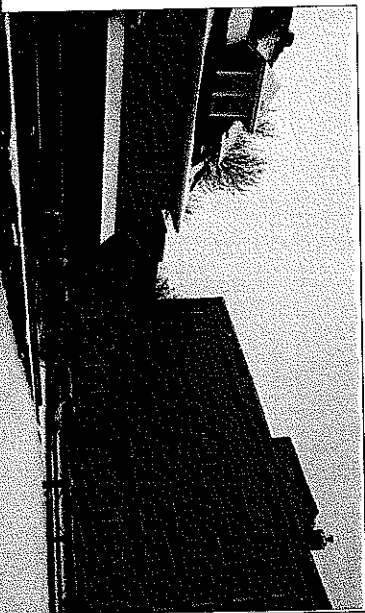


2 Langdon to Edgewater –
Relationship Established 1946

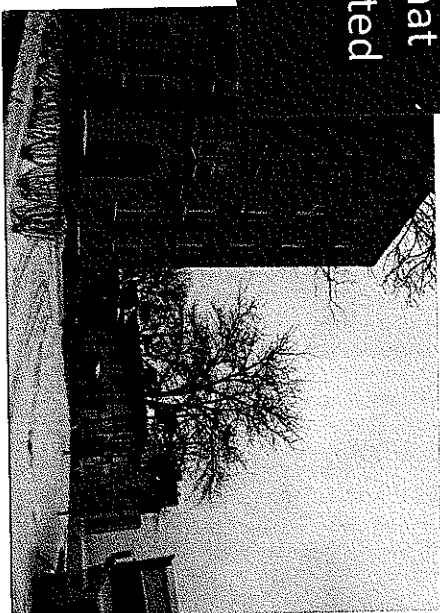


Edgewater to 12 Langdon –
Relationship Established 1946

The Existing
Development Pattern
Demonstrates the
Diversity in Scale that
Has Historically Existed
in the District



Kennedy Manor to 10 Langdon –
Relationship Established Pre-1946



Kennedy Manor to 2 Langdon –
Relationship Established Pre-1946


Landmark

The Ordinance... A Broad Framework
Determination of Visual Compatibility

The Edgewater Hotel
Section 3.0 – Page 8

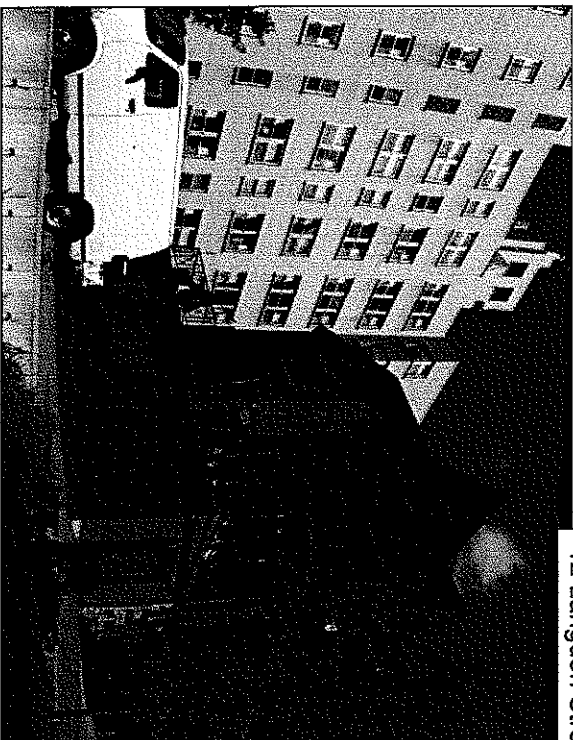
THE ORDINANCE...A BROAD APPLICATION OF THE STANDARDS WHAT DEFINES A "VISUAL" RELATIONSHIP?

The Visually Related Area does not include the National Guardian Life Building. However, this building has the dominant relationship to the new construction and is the most directly affected by the location, scale and size of the hotel expansion. How can a test of the "visual relationships" not include this structure?

National Guardian Life



12 Langdon Street



The Landmarks Ordinance Seems to Suggest the NGL Building is not Visually Related.

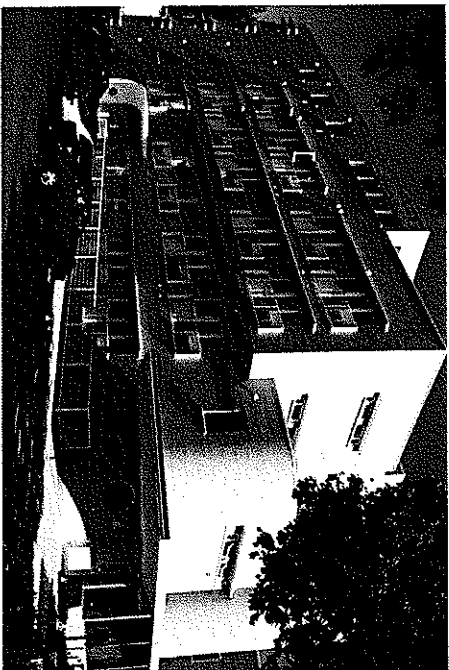
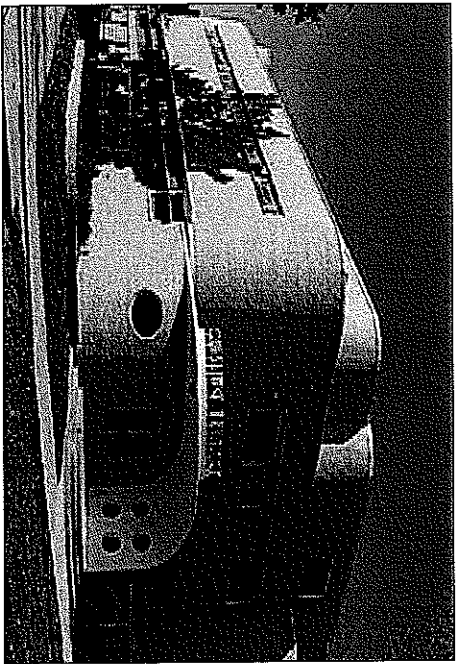
 **Landmark**

**The Ordinance...A Broad Framework
Defining the Visual Relationship**


**The Edgewater Hotel
Section 3.0 – Page 9**

WHEN ARE THE STANDARDS APPLIED?

Quisling Terrace is one of the most significant Projects undertaken in the Mansion Hill Historic District in the last three decades. The Guideline Criteria for New Development were in place at the time that this property was developed. To the best of our ability we found there is no evidence that the visual compatibility test in the Landmarks Ordinance was applied to this Project.

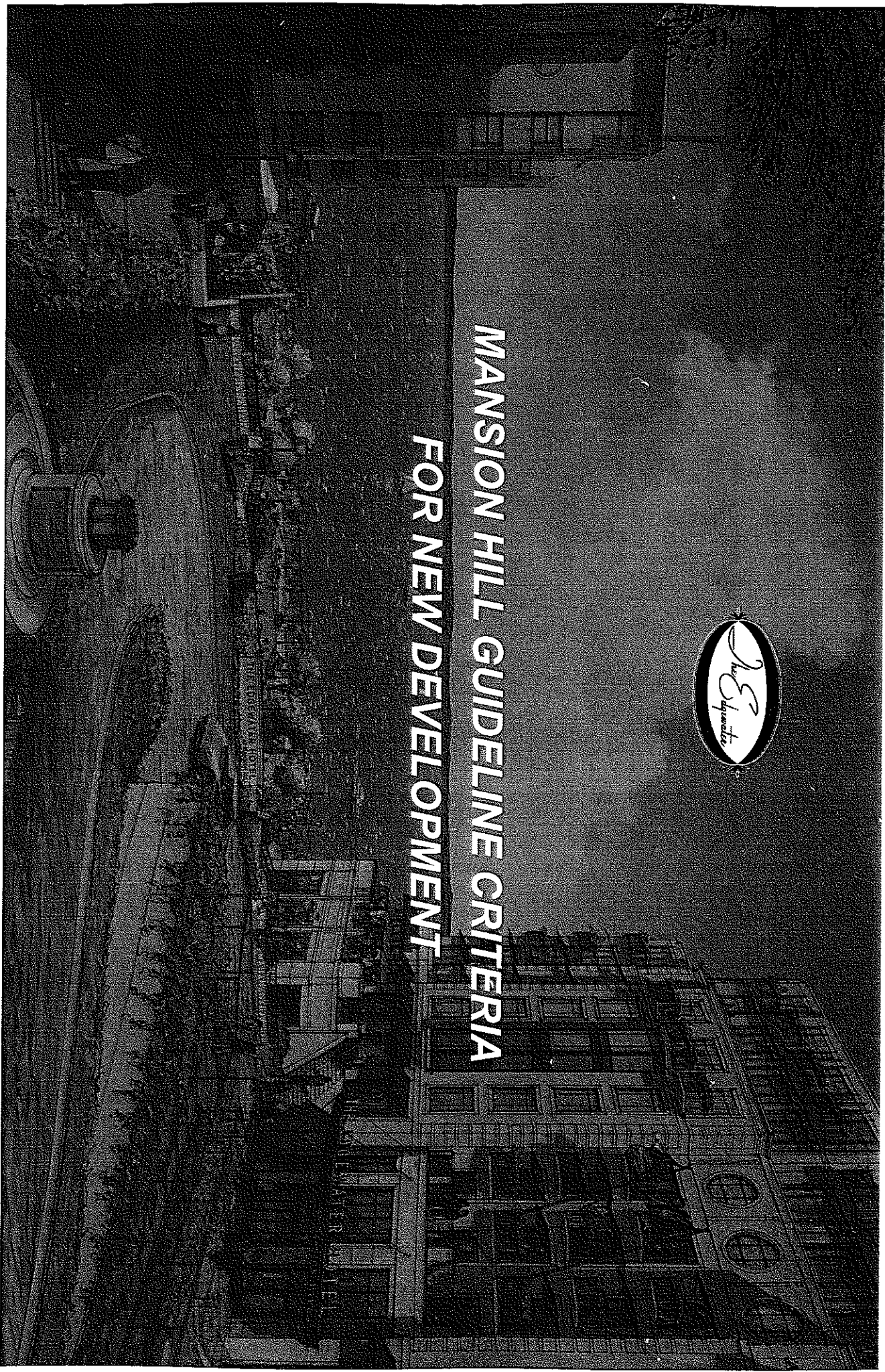


When is the Visually Related Area Test Applied?

 Landmark	The Ordinance....A Broad Framework When are the Standards Applied	The Edgewater Hotel Section 3.0 – Page 10
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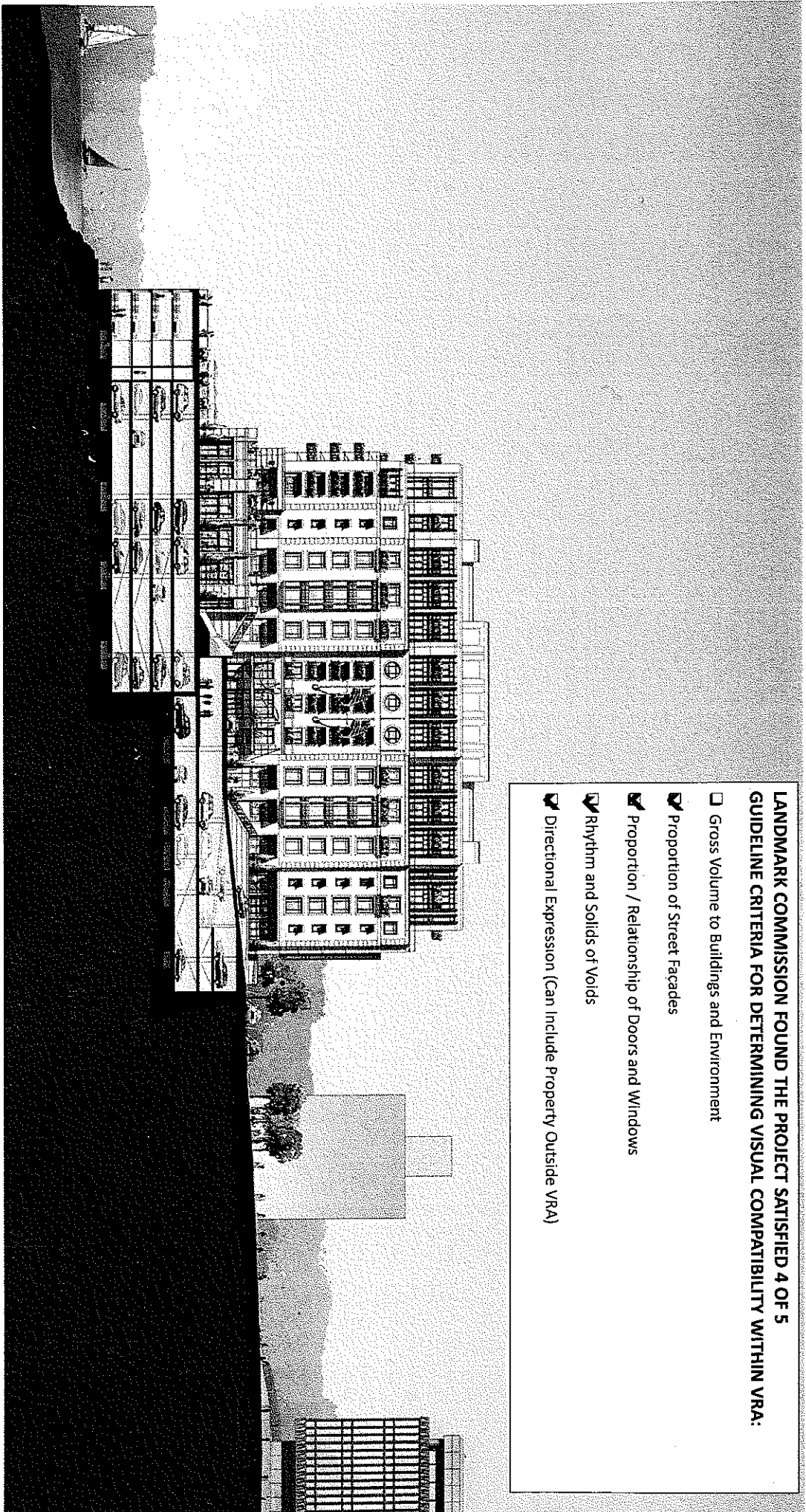


**MANSION HILL GUIDELINE CRITERIA
FOR NEW DEVELOPMENT**



**LANDMARK COMMISSION FOUND THE PROJECT SATISFIED 4 OF 5
GUIDELINE CRITERIA FOR DETERMINING VISUAL COMPATIBILITY WITHIN VRA:**

- Gross Volume to Buildings and Environment
- Proportion of Street Facades
- Proportion / Relationship of Doors and Windows
- Rhythm and Solids of Voids
- Directional Expression (Can Include Property Outside VRA)



GUIDELINE CRITERIA FOR NEW DEVELOPMENT IN MANSION HILL HISTORIC DISTRICT (MGO 33.19(5)(e))

Following are the Criteria that are to be used to determine the visual compatibility of the Subject Property to the buildings and environment within the Visually Related Area. The Section that follows describes how the Project satisfies each of these Criteria. Specific attention has been given to Criteria #1 as this was the criteria that the Landmarks Commission did not find acceptable in the Project.

1. The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is visually related (visually related area).
2. In the street elevation(s) of a new building, the proportion between the width and the height in the facade(s) shall be visually compatible with the buildings and the environment with which it is visually related (visually related area).
3. The proportions and relationships between width and height of the doors and windows in new street facade(s) shall be visually compatible with the buildings and environment with which it is visually related (visually related area).
4. The rhythm of solids to voids created by openings in the facade of the new structure should be visually compatible with the buildings and environment with which it is visually related (visually related area).
5. All new street facades should blend with other buildings via directional expression. When adjacent buildings have a dominant vertical or horizontal expression, this expression should be carried over and reflected.

The Guideline Criteria are Broadly Defined.

THE VOLUME CRITERIA (CRITERIA #1) IS SATISFIED USING ANY ONE OR ALL OF THE FOLLOWING METRICS

CRITERIA #1: "The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is visually related (visually related area)."

METRICS:


The following metrics can be applied to demonstrate a consistent volume relationship between the Edgewater Redevelopment and the buildings and environment within the Visually Related Area.

- Height of Existing Buildings Relative to One Another;
- Distance of Buildings to Surrounding Structures/Open Space;
- Floor Area Ratio (The Industry Standard Measurement of Volume in Relation to the Environment);
- Balancing Volume Removed (1970's Building) with New Construction;
- Comparison of Square Footage;
- Volume Comparison.

**There Are No Specific Standards or Metrics Provided That Define
How To Determine Volume -- Balancing (Purpose and Intent)
Becomes Imperative.**

 Landmark	Mansion Hill Guideline Criteria for New Development Criteria #1 – Gross Volume	The Edgewater Hotel Section 4.0 – Page 3
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Height Comparison

	New Construction	Existing Buildings in Visually Related Area					Adjacent Building
NET NEW CONSTRUCTION	 157.10	EXISTING EDGEWATER	12 LANGDON	KENNEDY MANOR	10 LANGDON	2 LANGDON	NATIONAL GUARDIAN LIFE
ELEVATION COMPARISON	157.10	108.50	65.00	135.00	99.00	99.80	157.10

Existing Height Differential in VRA is 35-70 Feet

Existing Height Differential in VRA with NGL is 35-92 Feet

Height Differential of New Construction is Consistent with VRA
 (e.g. 22 Foot Height Differential to Kennedy Manor)

As a Measure of Volume, the Height of New Construction is Consistent with the Existing Development Pattern in the VRA.



Mansion Hill Guideline Criteria for New Development
Criteria #1 – Gross Volume of Buildings Relative to One Another

The Edgewater Hotel
 Section 4.0 – Page 4

DISTRICT OVERVIEW... A DIVERSE CONTEXT

- The Edgewater site (e.g. the environment) includes nearly one acre of open space. This results in a spatial relationship of the building to it's environment is far superior to other large structures within the Visually Related Area.



Source: Virtual Earth Distance Estimation and Elkus Mantradi Plans
-October 28, 2009

The Landmarks Ordinance Must Consider the Volume Relationship of Buildings and Environment.
The Spatial Relationship Between the Proposed New Construction and All Other Buildings in the VRA is far Superior to the Existing Spatial Relationship that Exists in the VRA

Landmark

Mansion Hill Guideline Criteria for New Development








Criteria #1 -- Distance to Buildings to Surrounding Structures/ Open Space

The Edgewater Hotel

Section 4.0 -- Page 5

FLOOR AREA RATIO (FAR) COMPARISON

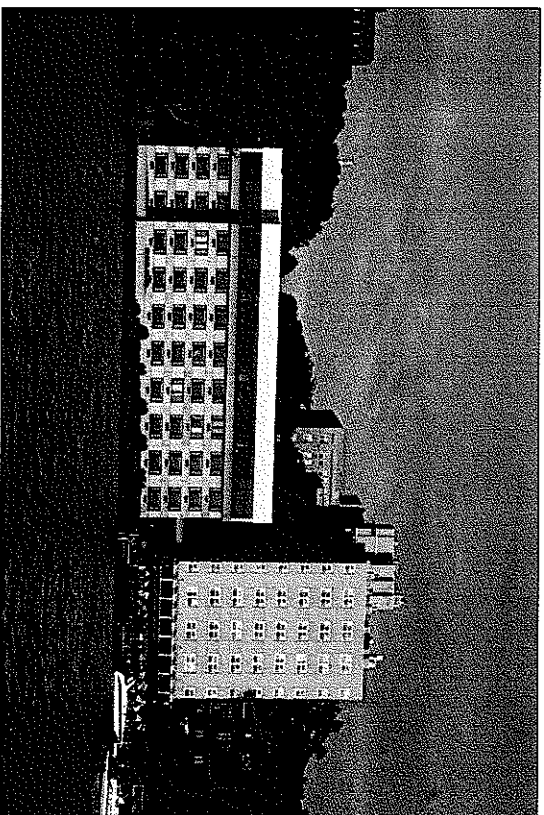
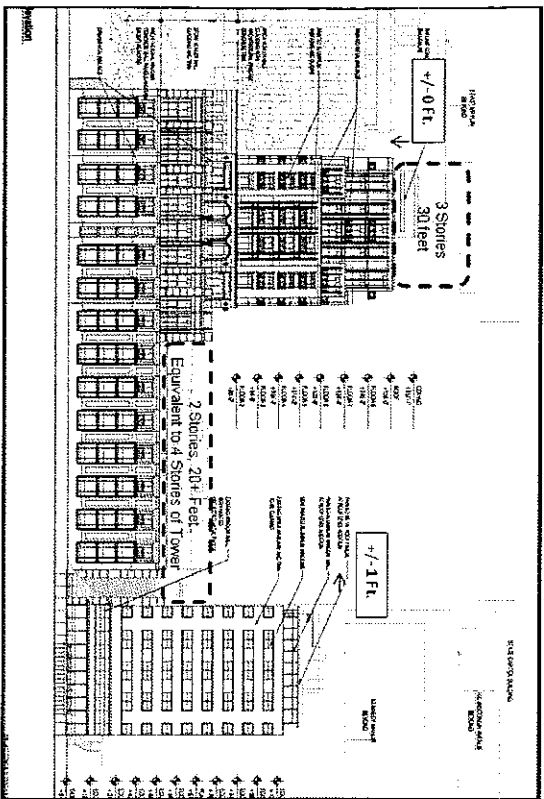
Floor Area Ratio - The Relationship of Building Square Footage to Total Site Area

FLOOR AREA RATIO	Redevelopment  PROPOSED EDGEWATER	Existing Buildings in Visually Related Area				Adjacent Building  NATIONAL GUARDIAN LIFE
	2.88/3.44 Including ROW/Without ROW	 EXISTING EDGEWATER 2.05	 12 LANGDON 0.93	 KENNEDY MANOR 3.80	 10 LANGDON 1.45	 21 LANGDON 2.30

As a Measure of Volume, the FAR of New Construction is Consistent with the Existing Development Pattern in the VRA.

BALANCE REMOVAL OF THE 1970'S STRUCTURE VS. NEW CONSTRUCTION

There is a beneficial impact to both the buildings and environment from the volume of the 1970's building being removed from the Wisconsin Avenue View Corridor. The total area removed is nearly equal to four (4) stories of new construction. This reduction in volume has a far greater impact and benefit to the public interest than reducing square footage of new construction.







**Consider the Benefits to the Public Interest Achieved By Removing
the 1970's Structure**



**Mansion Hill Guideline Criteria for New Development
Criteria #1 – Balancing Volume Removed (1970's Building with New Construction)**

**The Edgewater Hotel
Section 4.0 – Page 7**

Area Comparison	New Construction		Existing Buildings in the Visually Related Area					Adjacent Building
	NET NEW CONSTRUCTION ABOVE STREET LEVEL/TOTAL NEW	48% of Space is Below Street Level	EXISTING EDGEWATER	12 LANGDON	KENNEDY MANOR	10 LANGDON	2 LANGDON	NATIONAL GUARDIAN LIFE
SQUARE FEET	71,390 / 133,100		98,874	14,500	53,600	9,700	19,600	76,000
	3.64 / 6.79		5.04	NA	2.73	NA	NA	NA
	4.92 / 9.18		6.82	NA	3.70	NA	1.35	5.24
	7.36 / 13.72		10.19	1.49	5.53	NA	2.02	7.84
	1.33 / 2.48		1.84	NA	NA	NA	NA	1.42

Notes:
1) The term "Net New Construction" means it is an estimation of the square footage of the addition less the space that is removed from the 1970's building.



Mansion Hill Guideline Criteria for New Development
Criteria #1 – Comparison of Square Footage

SQUARE FOOTAGE COMPARISON :

A comparison of the square footage of the proposed development to the existing development pattern suggests the following:

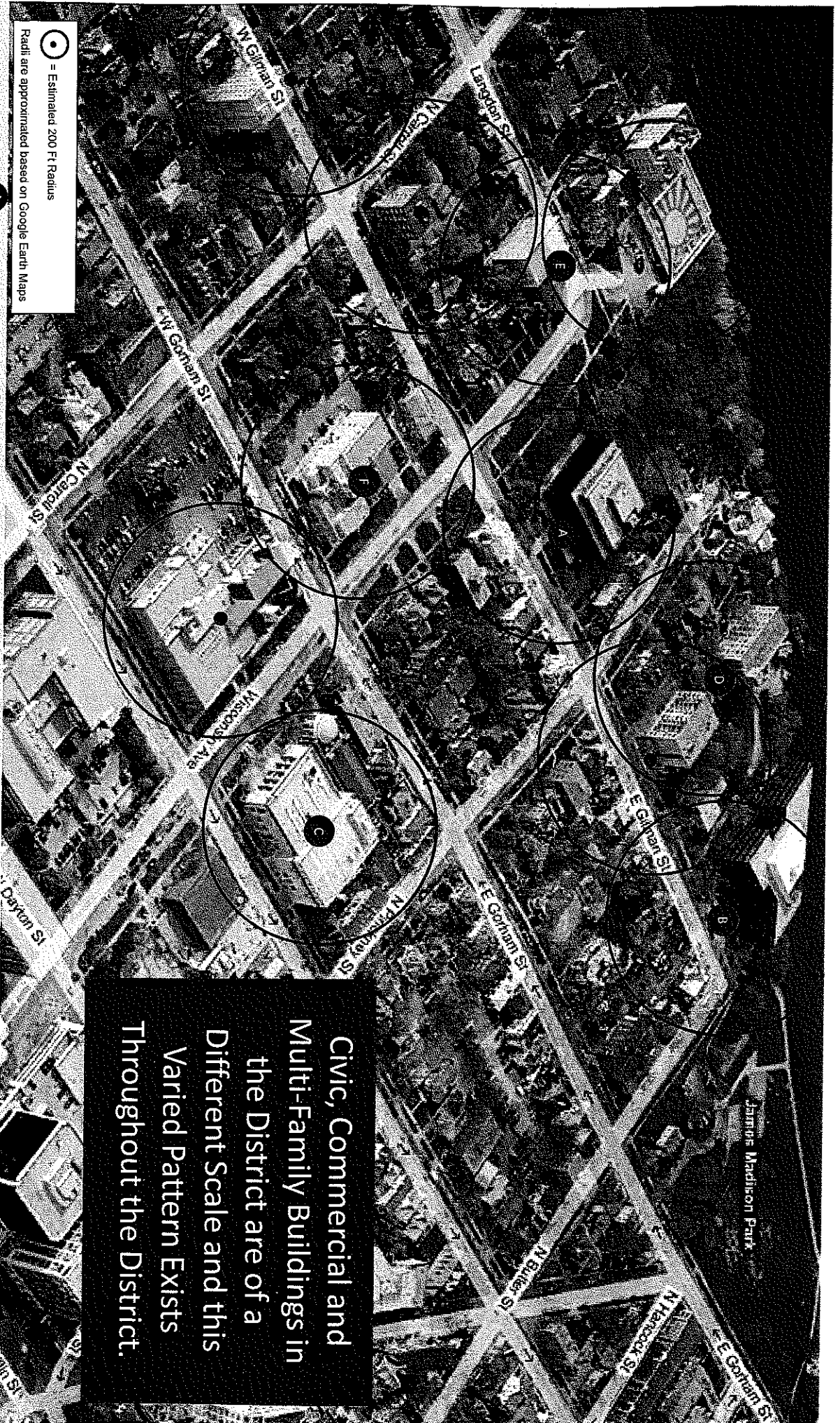
- The unique features of the site and topography result in more than 46% of the new construction being located below street level;
- The new construction has volume ratios that are substantially similar to the existing development pattern in the VRA;
- A comparison to the existing development pattern demonstrates that the existing 1940's building is more than 10X the size of 10 Langdon – the smallest directly adjacent building;
- Comparatively, the New Construction (including the space below grade) is 6X the size of 2 Langdon – the smallest directly adjacent building. This relationship was deemed unacceptable.
- The floor area ratios and density of development is very diverse within the District. The relationship between the existing Edgewater and Kennedy Manor is important to note and demonstrates:
 - Kennedy Manor is a more traditional urban development, built at the corner of the parcel and utilizing most of its site;
 - The Edgewater Site is a more non-traditional site with several limitations including the view preservation corridor above the 1970's building. While the building is actually larger than Kennedy Manor, the Project has a larger site area and a low density (FAR).

**The New Construction Volume Ratios Are
Consistent with the Existing Development Pattern in
the VRA.**



**Mansion Hill Guideline Criteria for New Development
Criteria #1 – Comparison of Square Footage**

**The Edgewater Hotel
Section 4.0 – Page 9**



○ = Estimated 200 Ft Radius

Radii are approximated based on Google Earth Maps

Landmark

Mansion Hill Guideline Criteria for New Development

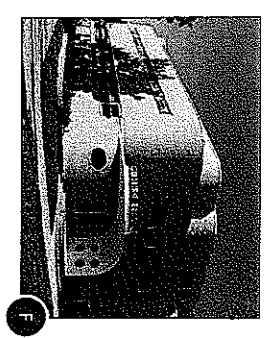
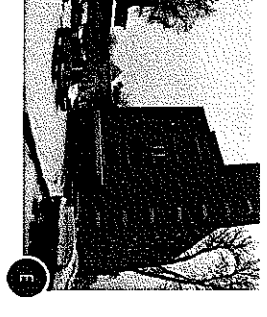
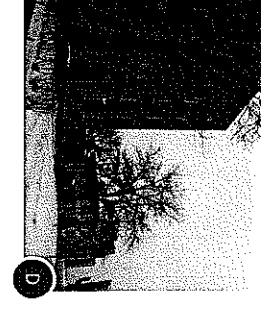
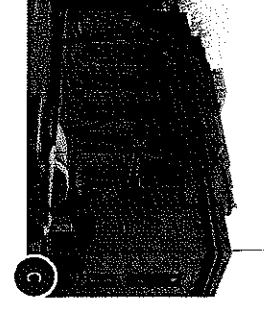
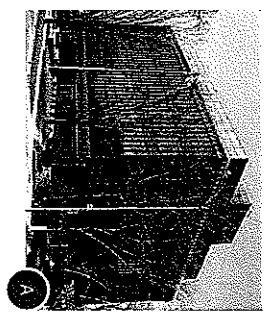
Criteria #1 – Volume Comparison

The Edgewater Hotel

Section 4.0 – Page 10

Civic, Commercial and Multi-Family Buildings in the District are of a Different Scale and this Varied Pattern Exists Throughout the District.





NATIONAL GUARDIAN LIFE				VENEK				MASONIC TEMPLE				KENNEDY MANOR				LAKESHORE				QUISLING TERRACE								
TOTAL SF (3)				TOTAL SF (3)				TOTAL SF (4)				TOTAL SF				TOTAL SF (4)				TOTAL SF (3)								
EST. VRA PROPERTIES	SF	RATIO		EST. VRA PROPERTIES	SF	RATIO		EST. VRA PROPERTIES	SF	RATIO		EST. VRA PROPERTIES	SF	RATIO		EST. VRA PROPERTIES	SF	RATIO		EST. VRA PROPERTIES	SF	RATIO		EST. VRA PROPERTIES	SF	RATIO		
522 N Pinckney	NA	NA		151 E Gilman	6,390	16.43		300 N Pinckney	1,700	47.06		2 Langdon	39,600	2.73		529 N Pinckney	NA	NA		11 W Gilman	2,091	23.17		424 N Pinckney	NA	NA		
520 N Pinckney	4,447	17.10		149 E Gilman	4,175	25.15		307 N Pinckney	1,226	65.25		30 Langdon	9,700	5.53		525 N Pinckney	NA	NA		15 W Gilman	3,396	14.26		28 E Gilman	NA	NA		
518 N Pinckney	2,376	32.00		139 E Gilman	NA	NA		304 N Pinckney	1,164	68.73		25 Langdon	NA	NA		515 N Pinckney	3,490	12.61		17 W Gilman	NA	NA		131 E Gilman	NA	NA		
424 N Pinckney	NA	NA		131 E Gilman	NA	NA		306 N Pinckney	1,409	56.78		515 N Carroll	4,239	12.47		516 N Pinckney	2,376	18.52		409 Wisconsin	4,042	11.98		125 E Gilman	5,658	13.44		
15 E Gilman	4,583	16.59		125 E Gilman	3,797	28.02		308 N Pinckney	1,373	58.27		14 W Gilman	1,988	26.96		28 E Gilman	NA	NA		412 Wisconsin	2,776	17.45		11 E Gilman	NA	NA		
7 E Gilman	3,251	20.27		130 E Gilman	NA	NA		310 N Pinckney	2,516	31.80		10 W Gilman	NA	NA		104 E Gilman	NA	NA		415 Wisconsin	NA	NA		11 E Gilman	4,583	16.59		
1 E Gilman	NA	NA		15 E Gilman	2,700	29.63		15 E Gilman	2,700	29.63		504 Wisconsin	4,458	12.02		116 E Gilman	NA	NA		424 Wisconsin	NA	NA		7 E Gilman	3,251	20.27		
516 Wisconsin	3,466	21.94		25 E Gilman	NA	NA		504 Wisconsin	6,200	8.54		512 Wisconsin	6,200	8.54		130 E Gilman	NA	NA		504 Wisconsin	6,200	10.67		1 E Gilman	NA	NA		
512 Wisconsin	6,280	12.11		31 E Gilman	NA	NA		516 Wisconsin	3,466	15.46		516 Wisconsin	3,466	15.46		415 N Carroll	6,200	7.71		401 N Carroll	NA	NA		516 Wisconsin	3,466	21.94		
504 Wisconsin	4,458	17.06		321 Wisconsin	NA	NA		321 Wisconsin	NA	NA																		

1. VRA is estimated from Google Earth Maps
2. Unless Otherwise Noted, Square Footage Was Provided by City GIS System or Other City Data
3. Square Footage Provided by Owner
4. Square Footage Estimated from Google Earth / Dane County GIS

Quisling Terrace was recently approved within the Mansion Hill Historic District. The ratio of its volume as compared to other properties in their estimated VRA exceeds the Edgewater VRA Ratios.



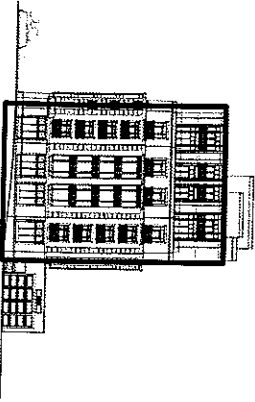
Mansion Hill Guideline Criteria for New Development

Criteria #1 – Volume Comparison

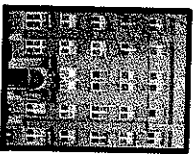
The Edgewater Hotel
Section 4.0 – Page 11

THE PROPORTION RELATIONSHIP OF STREET FACADES IS VISUALLY COMPATIBLE

Edgewater - Langdon Street Façade
1: 0.7



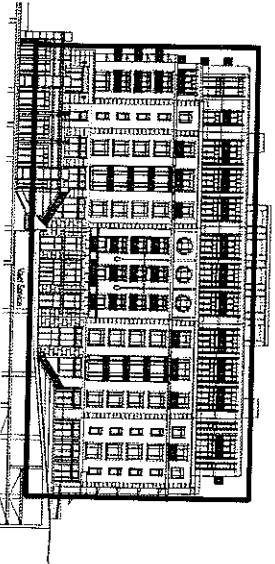
1 Langdon - Wisconsin Avenue Façade
1: 1



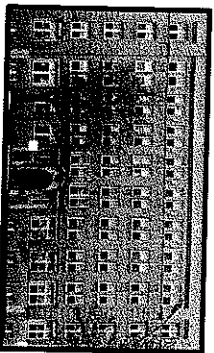
2 Langdon - Wisconsin Avenue Façade
1: 1.6



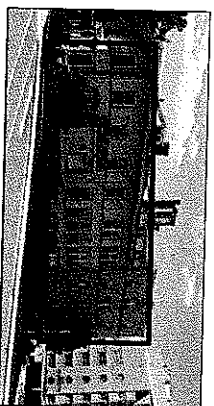
Edgewater- Wisconsin Avenue Façade
1: 2.1



1 Langdon - Langdon Street Façade
1: 1.9



2 Langdon - Wisconsin Avenue Façade
1: 2.3



**Note: Reference Staff Report for Detail*



A PROPORTIONAL RELATIONSHIP OF STREET FACADES (CRITERIA #2) IS VISUALLY COMPATIBLE

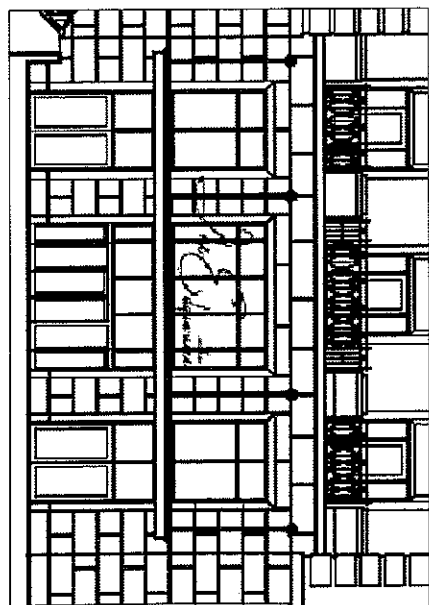
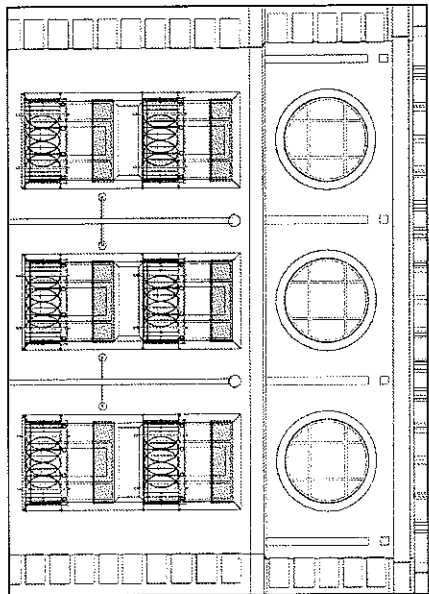
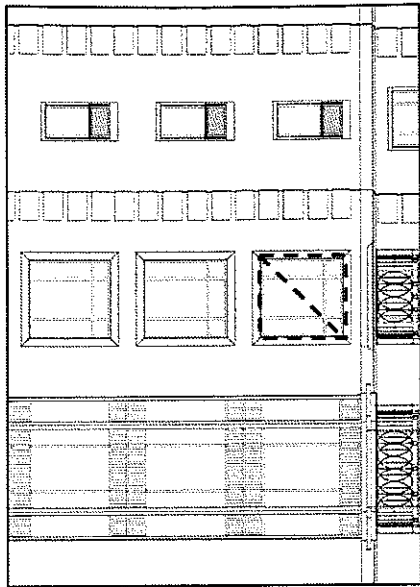
CRITERIA #2: "In the street elevation(s) of a new building, the proportion between the width and the height in the facade(s) shall be visually compatible with the buildings and the environment with which it is visually related (visually related area).

METRIC: The proportional relationship (height in relation to width) of the street facades is comparable:

- Proportionate relationship of street-side facades is similar to 1 Langdon and 2 Langdon ;
- Building architecture is divided into base, middle and top which is similar to style / proportional relationship of 1 Langdon;

"...this criterion relates to the proportion between the width and the height of facades, and based on the illustrations..., these proportions appear to be similar." –Preliminary Staff Report, Dated November 30, 3009.

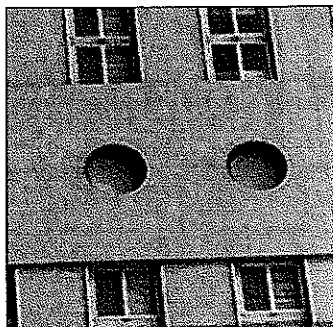
THE PROPORTION RELATIONSHIP OF DOORS AND WINDOWS IS VISUALLY COMPATIBLE



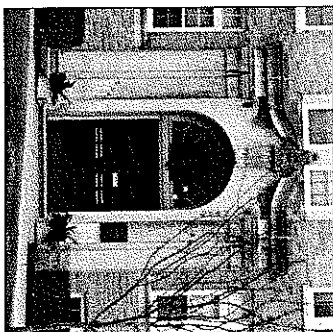
1 Langdon



2 Langdon Street



Existing Edgewater



1 Langdon



Mansion Hill Guideline Criteria for New Development
Criteria #3 – Proportions of Doors to Windows

The Edgewater Hotel

Section 4.0 – Page 14

A PROPORTIONAL RELATIONSHIP OF DOORS AND WINDOWS (CRITERIA #3) IS VISUALLY COMPATIBLE

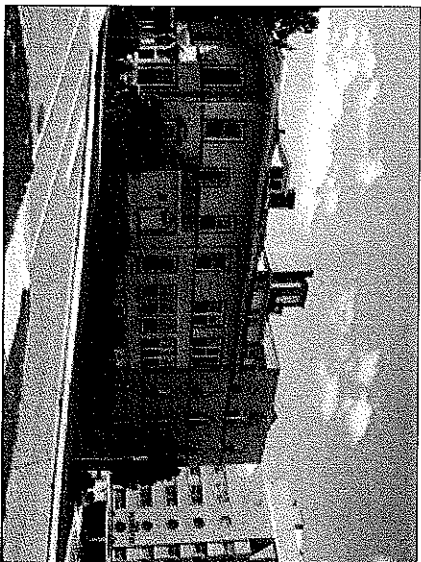
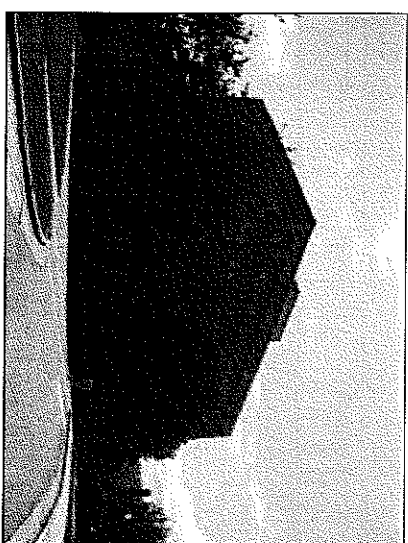
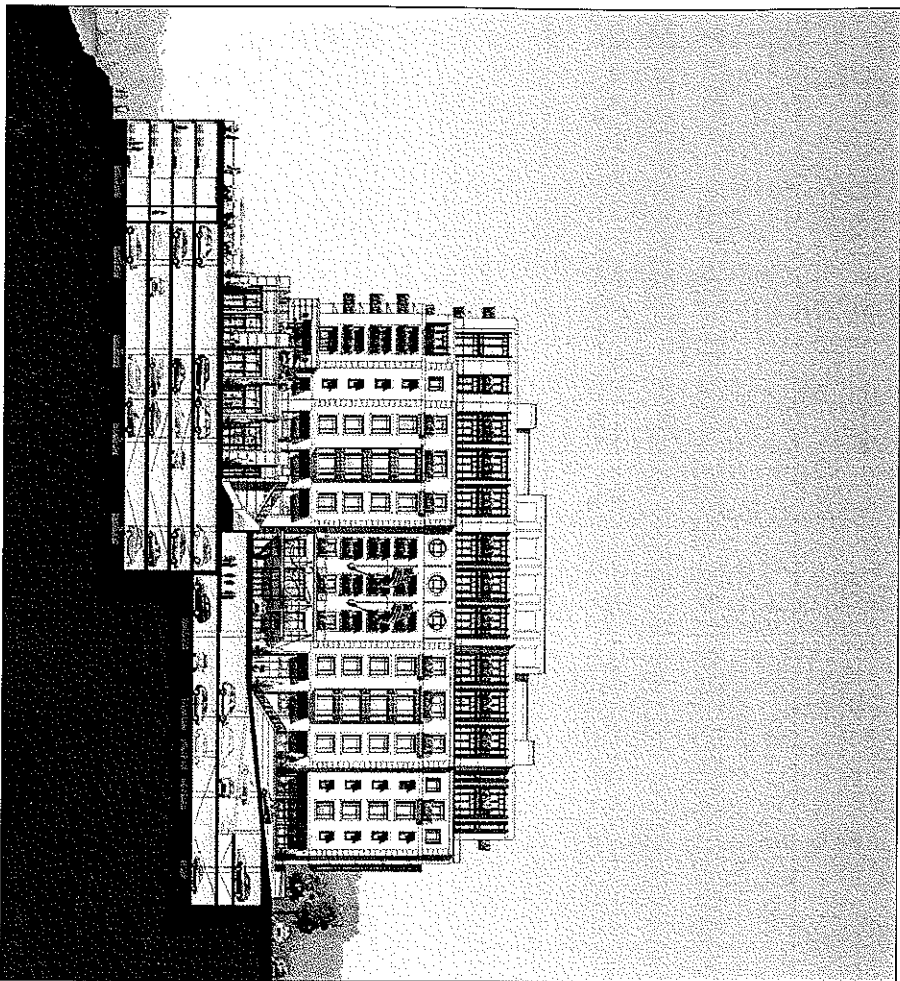
CRITERIA #3: The proportions and relationships between width and height of the doors and windows in new street facade(s) shall be visually compatible with the buildings and environment with which it is visually related (visually related area).

METRIC: The proportional relationship (height in relation to width) of doors and windows can be measured by:

- Window proportions are distinctly residential in nature;
- Pattern of window openings are reflective of pattern of multi-family structures at 1 Langdon and 2 Langdon;
- Building is designed with greater solid-to-void ratio;
- Monumental entrance is proportional to monumental entrance features on 1 Langdon and 10 Langdon

“Based on a comparison of the architecture of the proposed new tower to the buildings within the Visually Related Area, staff do not believe there is an issue with meeting this criterion.” –Preliminary Staff Report, Dated November 30, 3009.

THE RHYTHM OF SOLIDS AND VOIDS IS VISUALLY COMPATIBLE



Landmark

Mansion Hill Guideline Criteria for New Development

Criteria #4 – Rhythm of Solids & Voids

The Edgewater Hotel

Section 4.0 – Page 16

THE RHYTHM OF SOLIDS AND VOIDS (CRITERIA #4) IS VISUALLY COMPATIBLE

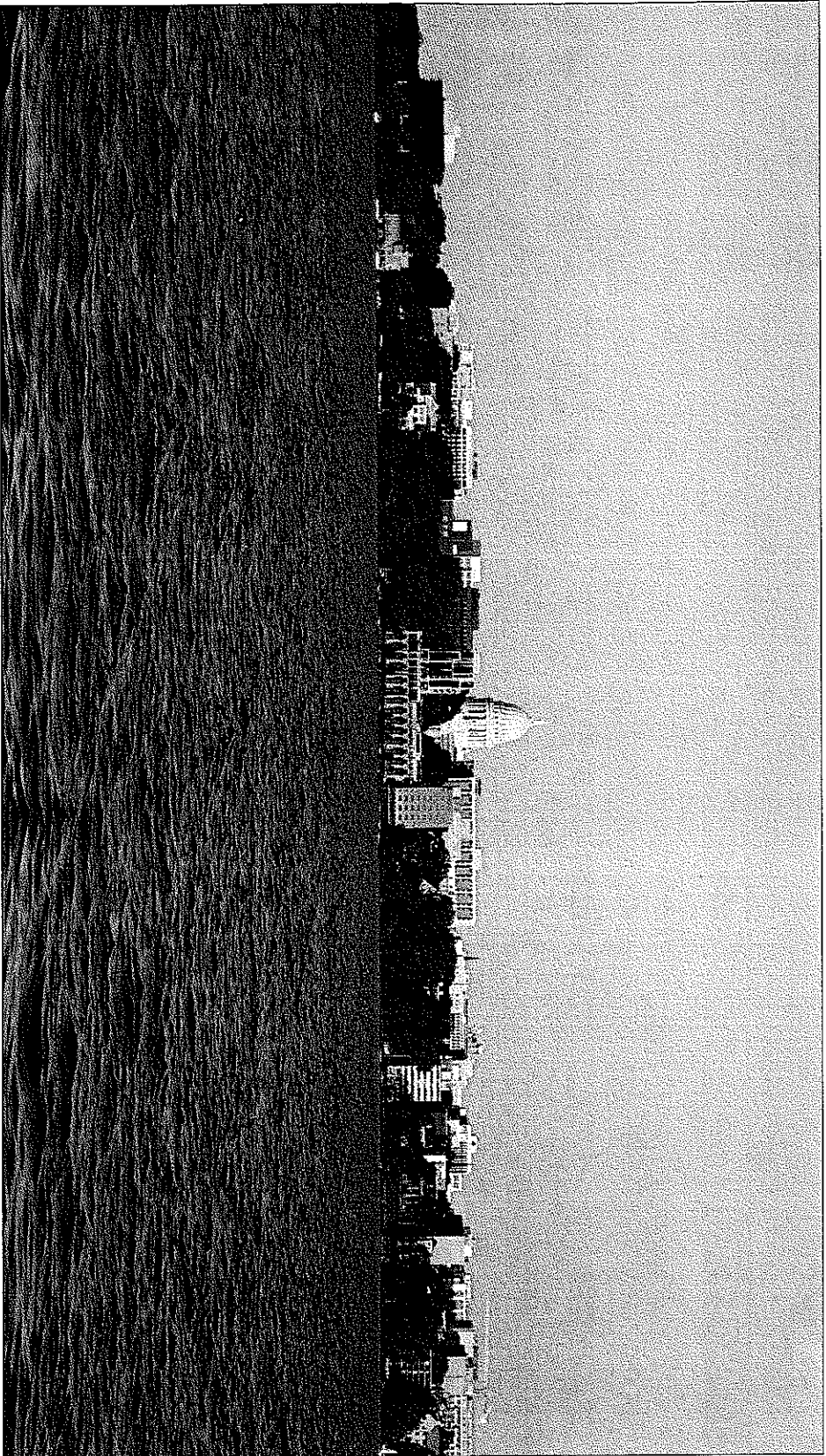
CRITERIA #4: The rhythm of solids to voids created by openings in the facade of the new structure should be visually compatible with the buildings and environment with which it is visually related (visually related area).

METRIC: The rhythm of solids to voids is based on a classical architecture found throughout the District and within the visually related area and includes the following key patterns:

- Base of building is designed with pedestrian scale;
- Base architecture is broken into a series of smaller openings rather than continuous glass wall to better relate to residential character and architectural rhythm of surrounding buildings;
- Monumental entry is centered on building similar to Kennedy Manor and 10 Langdon;
- Classical architecture mimics rhythm of solid and voids in facades of 1 Langdon and original tower on 2 Langdon;

“Staff reviewed photos of the buildings within the Visually Related Area and compared the pattern of solids and voids with the proposed new tower. Based on this evaluation, staff do not believe there is an issue with meeting this criterion.”
—Preliminary Staff Report, Dated November 30, 3009.

THE DIRECTIONAL EXPRESSION OF STREET FACADES (CRITERIA #5) IS VISUALLY COMPATIBLE



Landmark 

Mansion Hill Guideline Criteria for New Development

Criteria #5 – Directional Expression

The Edgewater Hotel

Section 4.0 – Page 18

THE DIRECTIONAL EXPRESSION OF THE STREET FACADES (CRITERIA #5) IS VISUALLY COMPATIBLE

CRITERIA #5: All new street facades should blend with other buildings via directional expression. When adjacent buildings have a dominant vertical or horizontal expression, this expression should be carried over and reflected.

METRIC: The directional expression of the building is visually compatible with the Visually Related Area and surrounding buildings:

- The Building has a strong horizontal expression similar to Kennedy Manor and 2 Langdon;
- Classical architecture breaks facade into base, middle and top, similar to Kennedy Manor and other buildings on Wisconsin Ave.;
- Horizontal expression is perpendicular to Langdon and is compatible with expression of 2 Langdon, 10 Langdon, 12 Langdon and most lakelakefront properties;
- Horizontal and vertical plane utilize topography and expand toward lakelakefront. This is compatible with vertical and horizontal patterns of 2 Langdon, 10 Langdon and 12 Langdon;
- The top levels of building are setback and are designed with lighter, transparent architecture which is similar to adjacent National Guardian Life building;
- Vertical expression is compatible with height of Kennedy Manor and National Guardian Life Buildings;
- Vertical expression is residential in character and similar to Ambassador and other residential properties along lakelakefront.

**"The proposed new tower has an overall horizontal expression... Staff do not believe there is an issue with meeting this Criterion."
-Preliminary Staff Report, Dated November 30, 3009.**



Mansion Hill Guideline Criteria for New Development

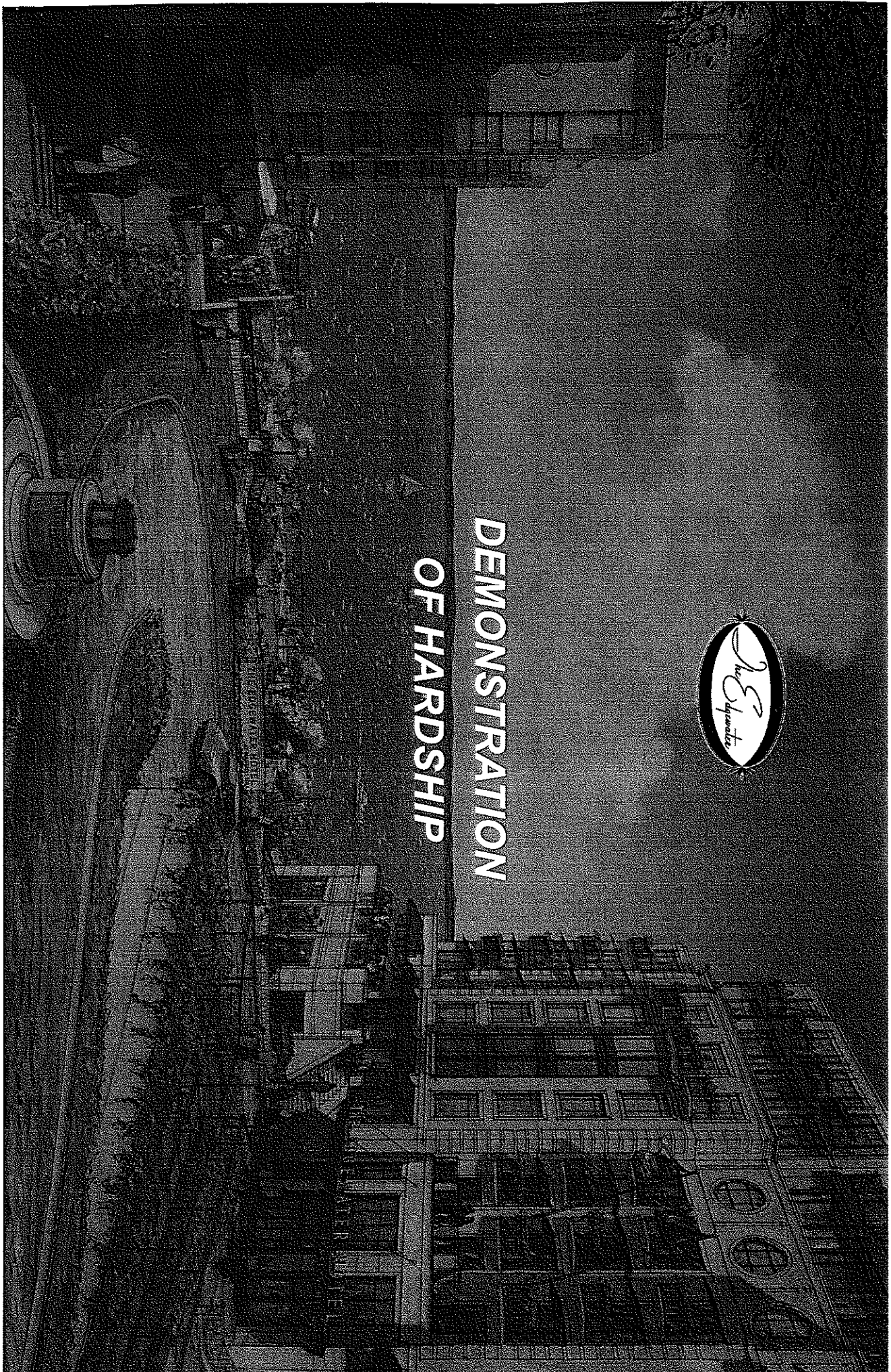
Criteria #5 – Directional Expression

The Edgewater Hotel

Section 4.0 – Page 19



DEMONSTRATION OF HARDSHIP



REQUEST FOR APPEAL

Landmark X, LLC, a Wisconsin based Limited Liability Corporation, has requested that the Common Council grant a Certificate of Appropriateness pursuant to the appeal process set forth in the Landmarks Ordinance. This presentation demonstrates the findings that support the Common Council granting the Certificate of Appropriateness:

- **Based on the Standards.** We have demonstrated that we satisfy all five (5) criteria required to determine visual compatibility;
- **Balancing Public Interest in Preservation with Owner Interests.** Preservation is achieved by balancing public interests and owner interests through redevelopment of the Edgewater Hotel.
- **Special Conditions.** There are a broad array of special conditions that seriously constrain reasonable use of the Property.
- **Reasonable Use / Hardship.** Hardship has been demonstrated.

APPEAL. MGO 33.19(5)(f)

"After a public hearing, the Council may, by favorable vote of two-thirds (2/3) of its members, based on the standards contained in this ordinance, reverse or modify the decision of the Landmarks Commission if, after balancing the interest of the public in preserving the subject property and the interest of the owner in using it for his or her own purposes, the Council finds that, owing to special conditions pertaining to the specific piece of property, failure to grant the Certificate of Appropriateness will preclude any and all reasonable use of the property and/or will cause serious hardship for the owner, provided that any self-created hardship shall not be a basis for reversal or modification of the Landmark."

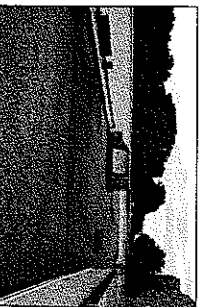
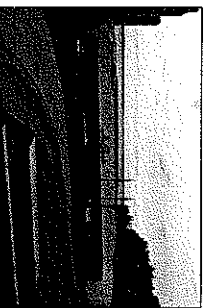
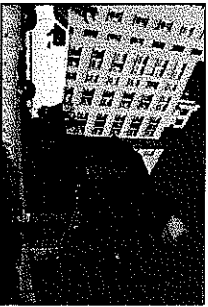
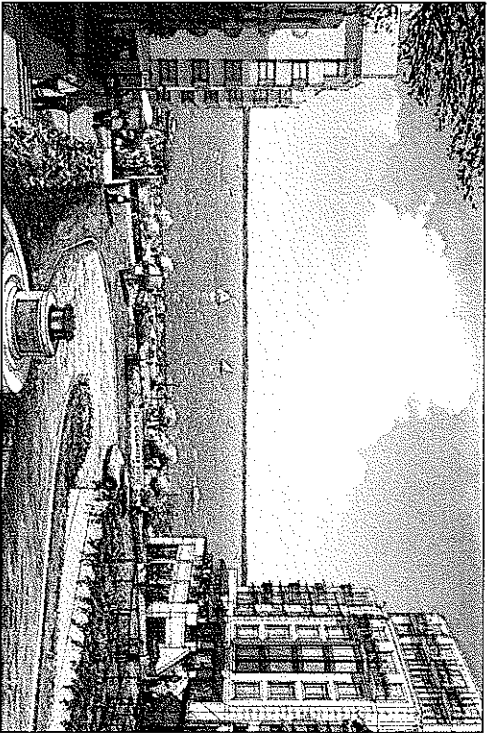
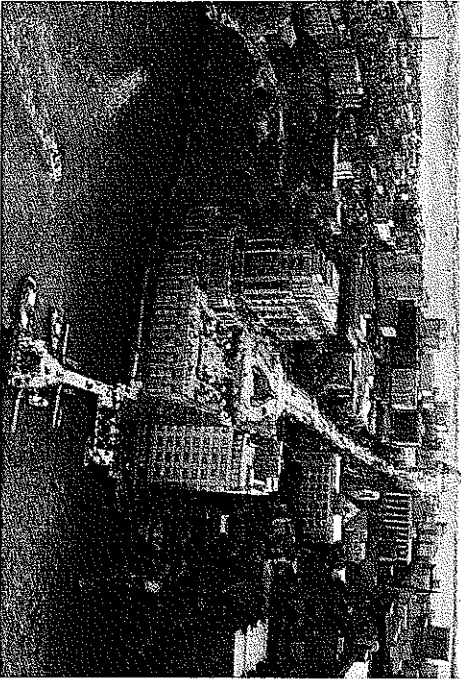


Request for Appeal
The Ordinance

The Edgewater Hotel
Section 5.0 – Page 1

BASED ON THE STANDARDS

We have demonstrated that we satisfy all five (5) criteria to determine visual compatibility:



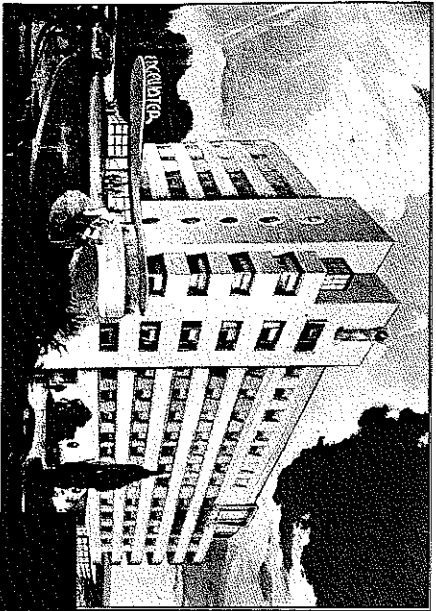
BUILDINGS

ENVIRONMENT

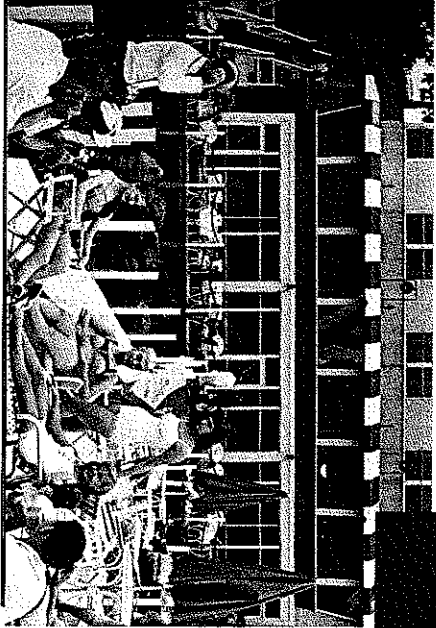


Request for Appeal
Project Compatibility with the Standards

The Edgewater Hotel
Section 5.0 – Page 2

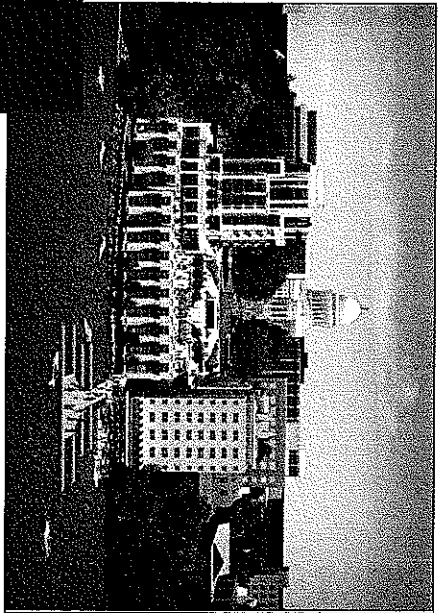


Rehabilitation of the 1940's Historic Hotel

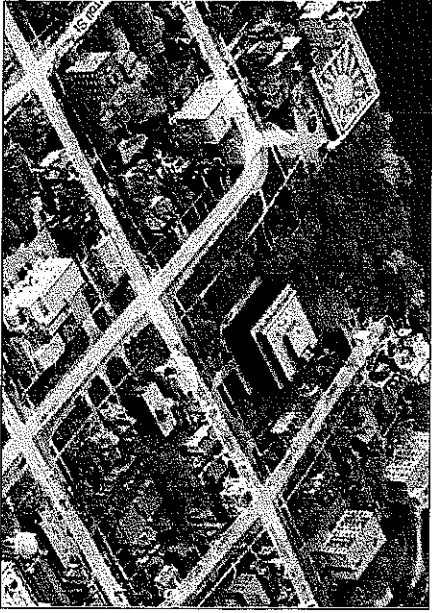


Restoration of a Cultural Icon

Public Interest in Preservation Occurs Through Redevelopment.



Opening of the Street End Views



A Catalyst For Reinvestment in Neighborhood (TIF)

Landmark

The Public Interest / Benefit (Redevelopment Benefits)

Request for Appeal

The Edgewater Hotel

Section 5.0 – Page 3

P U R P O S E & I N T E N T

ESTIMATED FISCAL IMPACTS (10 YEARS)

ON-SITE FISCAL IMPACTS

Room Tax:	\$6.3 MM
Property Tax:	\$9.2 MM
Sales Tax:	\$8.1 MM
Income Tax:	\$1.9 MM

OFF SITE FISCAL IMPACTS:

Sales Tax:	\$5.2 MM
Income Tax:	\$5.0 MM

BALANCING PUBLIC INTEREST IN PRESERVATION WITH OWNER INTERESTS

Preservation is achieved by balancing public interests and owner interests through redevelopment of the Edgewater Hotel.

Highly Compatible to Purpose and Intent of Landmarks Ordinance

- The Project is compatible with each of the goals and objectives stated in the Landmarks Ordinance;

Project Enhances Historic Character in Visually Related Area

- Rehabilitates the only contributing historic structure in the Visually Related Area;
- Restores the Edgewater as a cultural landmark;
- Enhances quality of buildings within Visually Related Area;

Project is a Catalyst for Revitalization in the Historic District

- Restores the street-end view consistent with Nolan Plan and other planning documents;
- Provides public space, enhances civic character of Wisconsin Avenue corridor;
- Ensures long-term viability of cultural resource / iconic property in downtown / Mansion Hill;
- Adds residential units to neighborhood;
- Enhances amenities to attract long-term residential to district;
- Potential TIF catalyst for improvements/enhancements within the Historic District;

Project Results in Significant Economic and Fiscal Benefits

- Private investment in public space (\$13.3 MM Upfront to the Community);
- Improved Access (e.g. waterfront, stairway, ADA access, loading/unloading, etc.)
- Developer bares costs to maintain, operate public space (Est. \$10 MM+ public benefit);
- Estimated increase in property assessed value from \$5 MM to over \$42.3 MM;
- Estimated property taxes generated increase from \$100,000 to \$1,000,000 annually;
- 700+ construction jobs / 350+ permanent jobs;
- 10 Year Fiscal benefits as outlined in the adjacent chart.

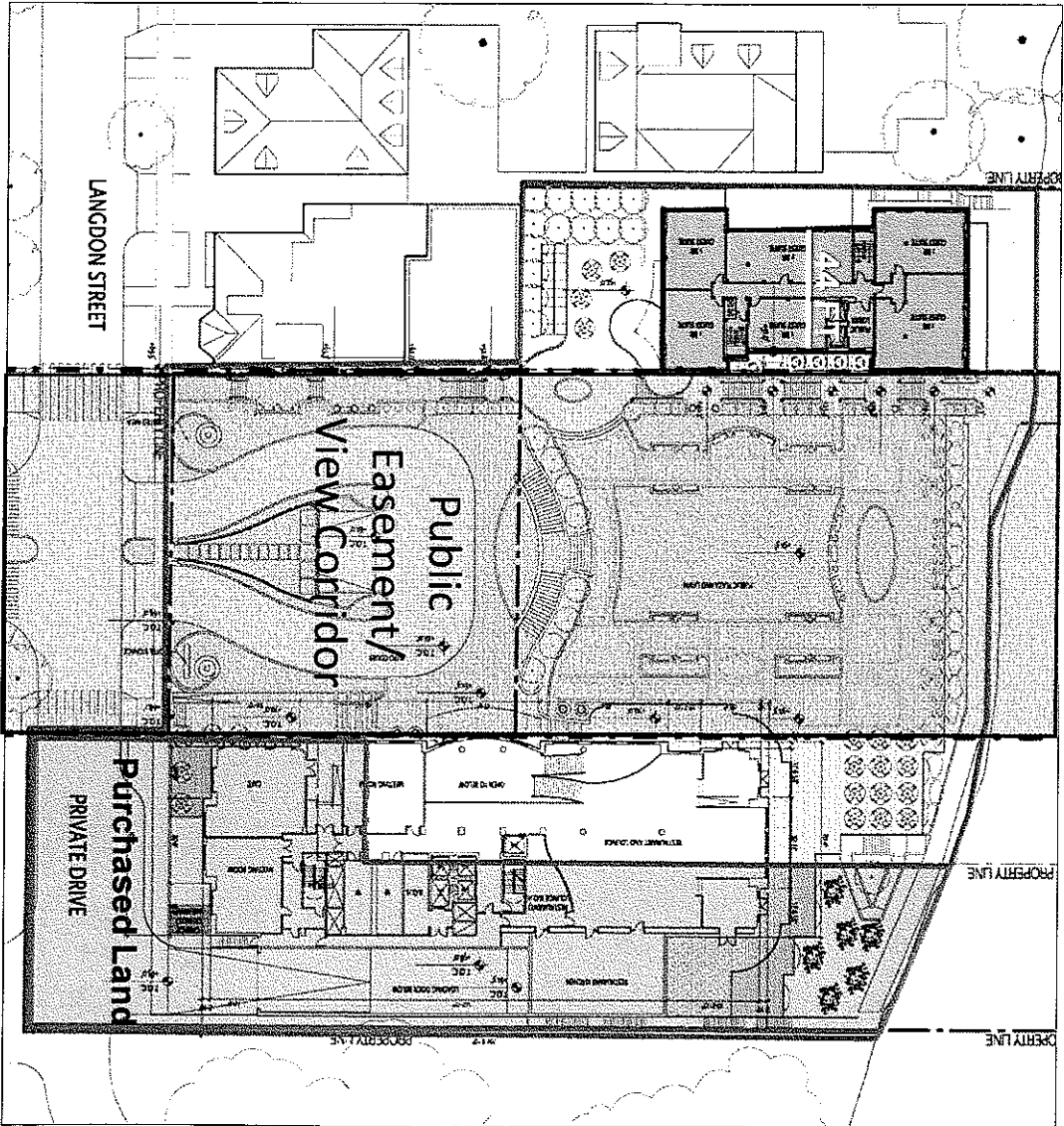
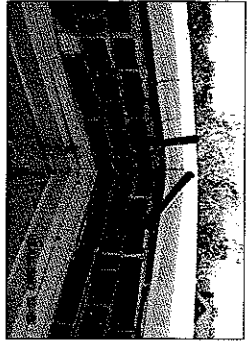
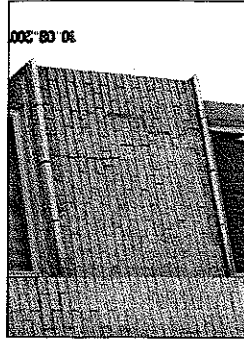


The Public Interest / Benefit (Redevelopment Benefits)

Request for Appeal

The Edgewater Hotel

Section 5.0 -- Page 4





Chartered Accountants
& Business Advisers

**EXCERPT FROM MARKET STUDY FOR
REDEVELOPMENT OF THE EDGEWATER HOTEL**

“The age, design and construction of the buildings are such that the Hotel suffers from varying degrees of functional obsolescence. Inconsistent maintenance and refurbishment programs, widely varying guestroom and bathroom sizes and an aging physical plant have significantly reduced the Hotel’s competitive position and market performance. As will be described later in this report, the Edgewater under performs the set of competitive hotels by a substantial margin.” (September 4, 2008)

SPECIAL CONDITIONS OF SUBJECT PROPERTY

There are a broad array of special conditions that seriously constrain reasonable use of the Property.

Physical Constraints

- The physical condition of the property;
- Footprint of the 1940’s building is constrained and inefficient;
- The building suffers from severe physical and functional obsolescence;
- The building is not code compliant;
- The building does not satisfy any reasonable ADA standard;
- Any significant renovation will result in loss of rooms which undermines economic solvency.

Site Constraints

- The site is a defined area - we do not own the adjacent land;
- Maximum utilization, connections and access to existing structures/parking are critical to the financial viability and operations of the hotel;
- The topography of the site results in a significant amount of below grade / back of house space which increases the volume of development.

Land-Use Constraints

- Located on a street end;
- View Preservation Easement;
- Capitol Height Limit;
- Waterfront location;
- Public Easement providing access to roof/ waterfront.

Public Use Constraints

- Removal of the top level of the 1970’s building to achieve the public benefits set forth in the Landmarks Ordinance results in added volume of new construction.

Economic Constraints

- The program has already been reduced to the extent feasible to support development and on-going operations of the Property.



Request for Appeal
Special Conditions of Subject Property

The Edgewater Hotel

Section 5.0 – Page 6

REASONABLE USE / HARDSHIP

Hardship has been demonstrated. The proposed Edgewater Redevelopment was re-designed over the last six (6) months to address concerns over the volume/height of the hotel expansion. Further program reductions create severe economic hardship and place at risk the continued reasonable use of the Property.

	Revenue	Debt Coverage Ratio	Loan to Cost	Target Yield (20-30 Yr)
A. Original Redevelopment Plan 11 Stories	\$17.0 MM	2.05x	45%	11.52%
B. Revised Redevelopment Plan 8 Stories (Approx. 93,000 SF Less)	\$13.4 MM	1.73x	39%	10.20%
Considered Further Reduction in Program Area				
C. 6 Stories (Approx. 21,800 SF Less)	\$11.9 MM	1.01x	50%	3.49%
D. Approx. 50 ft Height, 1+/- Story Above Langdon (Approx. 88,000 SF Less)	\$ 7.1 MM	0.93x	38%	-8.58%
E. Renovation of Existing Edgewater	\$ 4.9 MM	0.97x	45%	-0.87%
F. Do Nothing / Status Quo	Continued Deterioration of this Historic Property			



Request for Appeal
Prevention of Reasonable Use and Serious Hardship

The Edgewater Hotel

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**NOTES FROM CITY OF MADISON OFFICE
OF THE CITY ATTORNEY – DATED
DECEMBER 4, 2009**

In applying the language of the ordinance, the Council is to give the words their ordinary and common sense meaning... Unless some technical terms are involved, the ordinary dictionary meanings of the words may be applied... “serious”, in the context used here, as “weighty or important”. “Hardship” is defined as “a condition that is difficult to endure; suffering; deprivation; oppression.”

The special conditions of the subject property create both physical and economic hardships that impact the long-term viability of the hotel unless a major redevelopment and expansion is undertaken at the Property:

Physical Hardship and Reasonable Use:

- The existing building is functionally and physically obsolete;
- The Property is not competitive in market, and cannot meet industry standards;
- Without major investment the property will continue to decline;
- Current property is not code compliant or fully accessible to ADA community;
- Forcing the property owner into a position which requires him to sell/convert to another use is not a reasonable requirement to impose on the property;

Economic Hardship:

- The special conditions of the property impose several limiting factors on the costs, program and buildable area of the site;
- Preservation that achieves the public interest places economic conditions on the redevelopment that must be supported by the building program;
- Further program reductions make the Project financially infeasible.

**Special Conditions and Hardship
are NOT Self Created.**

Landmark

Request for Appeal

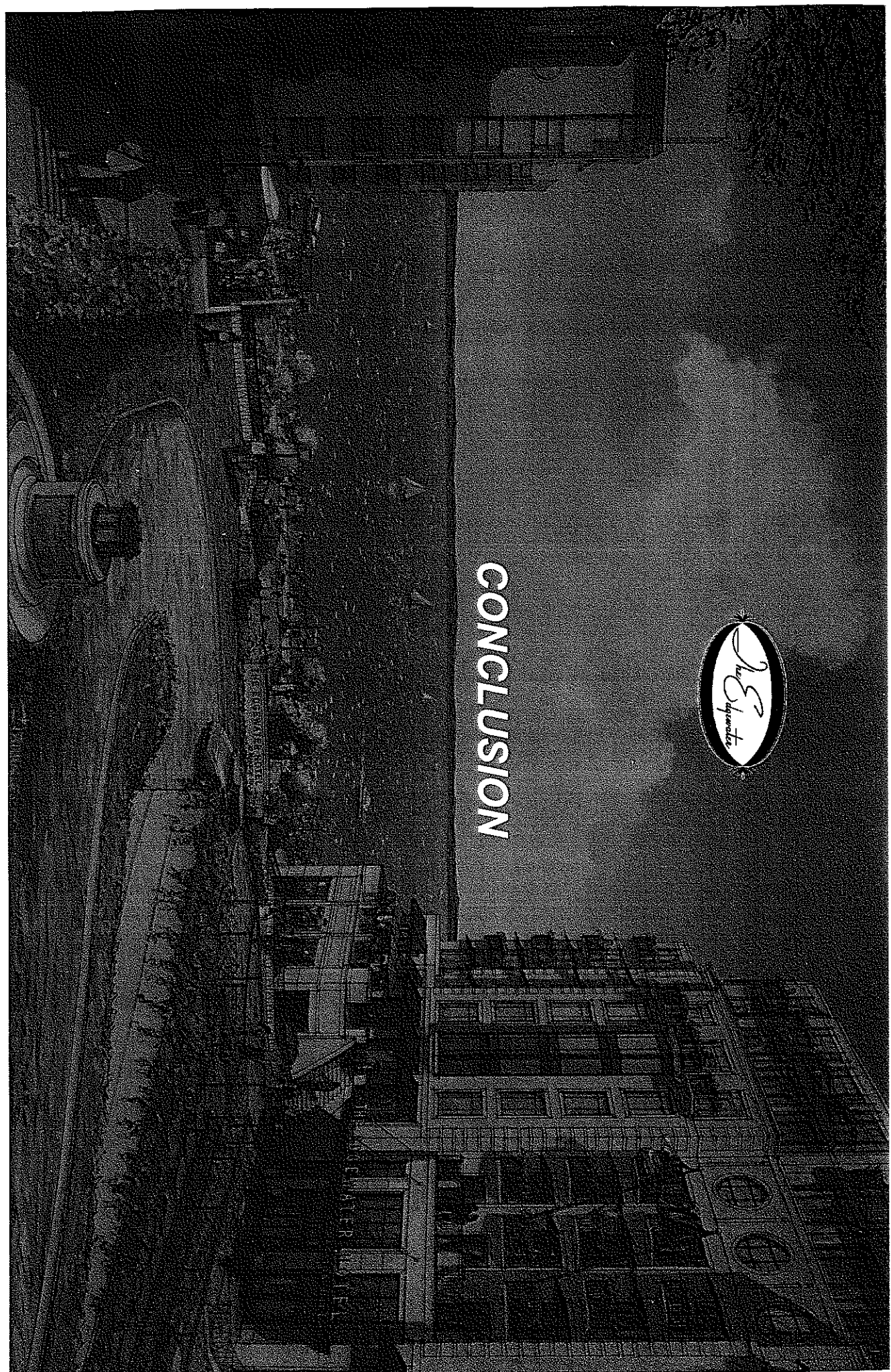
Prevention of Reasonable Use and Serious Hardship

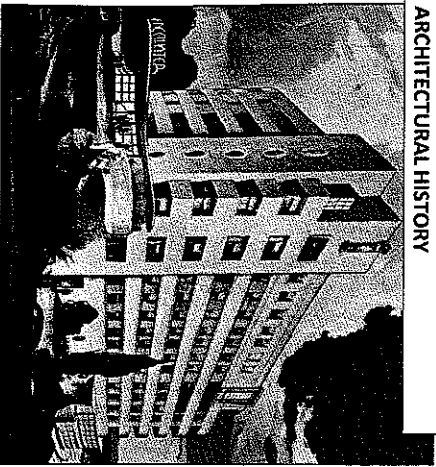
The Edgewater Hotel

Section 5.0 – Page 8

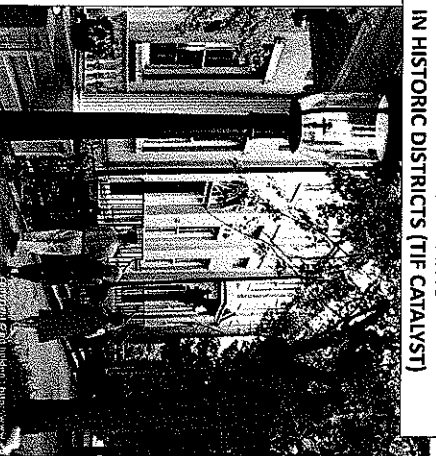


CONCLUSION





**PROTECT & ENHANCE
ARCHITECTURAL HISTORY**



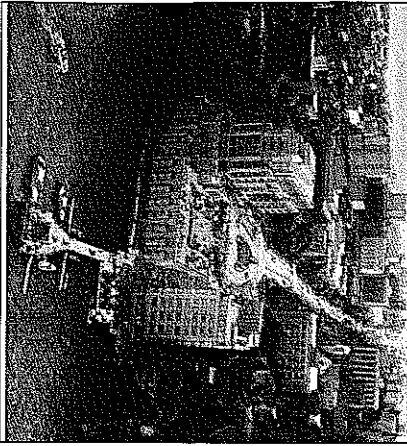
**PERPETUATE IMPROVEMENTS
IN HISTORIC DISTRICTS (TIF CATALYST)**



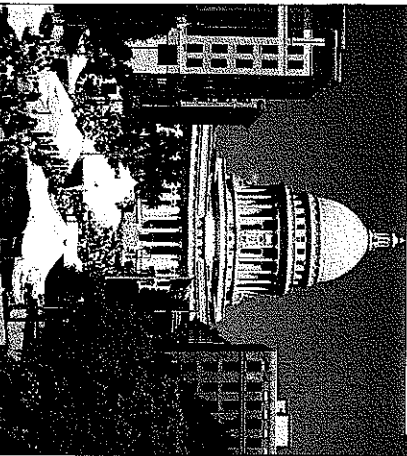
**SAFEGARD THE CITY'S
CULTURAL HISTORY ("LAKE CULTURE")**



**FOSTER CIVIC PRIDE IN THE BEAUTY AND
NOBEL ACCOMPLISHMENTS OF PAST**



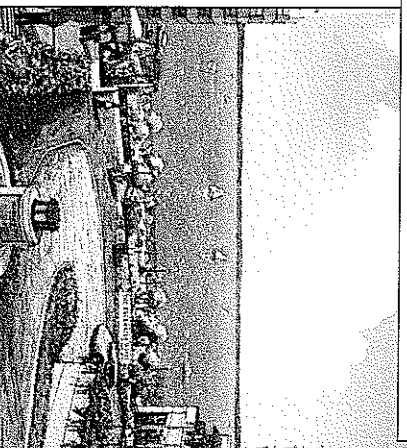
**STABILIZE AND IMPROVE
PROPERTY VALUES**



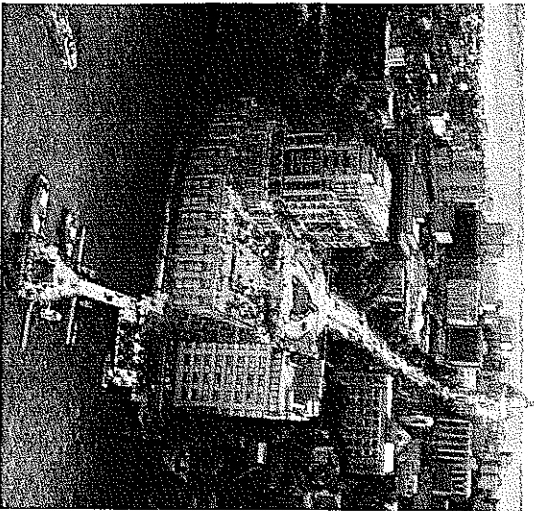
**STRENGTHEN THE
ECONOMY (TOURISM / VISITATION)**



**SERVE AS A STIMULUS
TO BUSINESS & INDUSTRY**



**PROMOTE USE OF HISTORIC DISTRICTS FOR
PLEASURE & WELFARE OF THE PEOPLE**



CONCLUSION

This presentation demonstrates the findings that support the Common Council granting the Certificate of Appropriateness:

- The Project meets each of the standards defined in the Purpose and Intent of the Landmarks Ordinance;
- The "Guideline Criteria for New Development in the Mansion Hill Historic District" are broadly defined. We satisfy all five (5) criteria in the Landmarks Ordinance that determine visual compatibility;
- The "public interest in preservation" can only be accomplished through the "owner's interest" in redevelopment of the Edgewater;
- The restriction of the Certificate of Appropriateness will preclude the reasonable use of the Property and/or create a hardship for the Owner that is not self-created.

BALANCING... THE PUBLIC INTEREST IN PRESERVATION (PURPOSE AND INTENT) CAN ONLY BE ACHIEVED FROM THE OWNER'S INTEREST IN REDEVELOPMENT OF THE EDGEWATER.

HARDSHIP... EXISTING CONDITIONS IMPOSE SEVERE ECONOMIC AND PHYSICAL HARDSHIP

IRONICALLY... STATUS QUO IS THE BARRIER TO HISTORIC PRESERVATION

Landmark

Request for Appeal

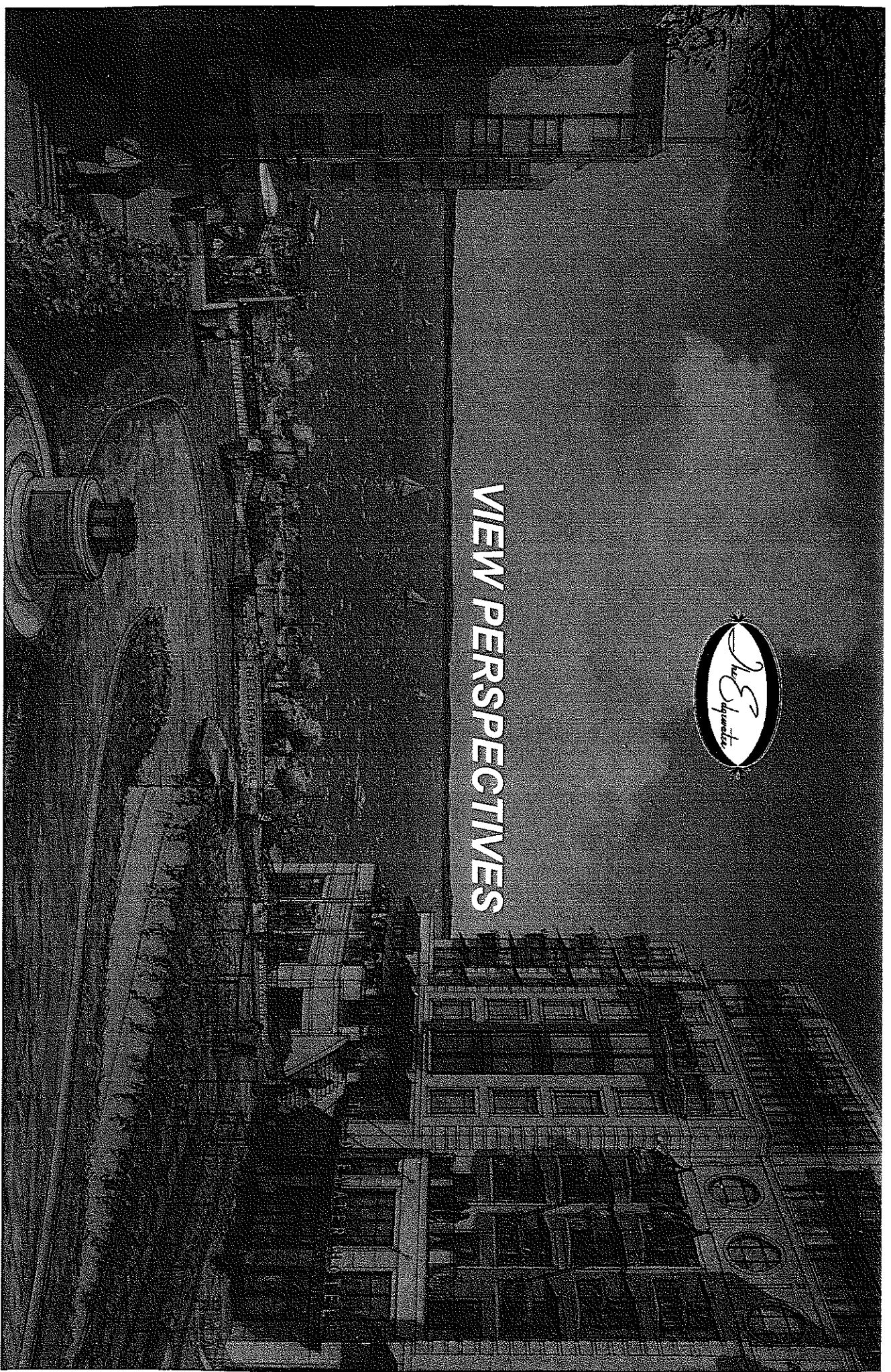
The Edgewater Hotel

Conclusion

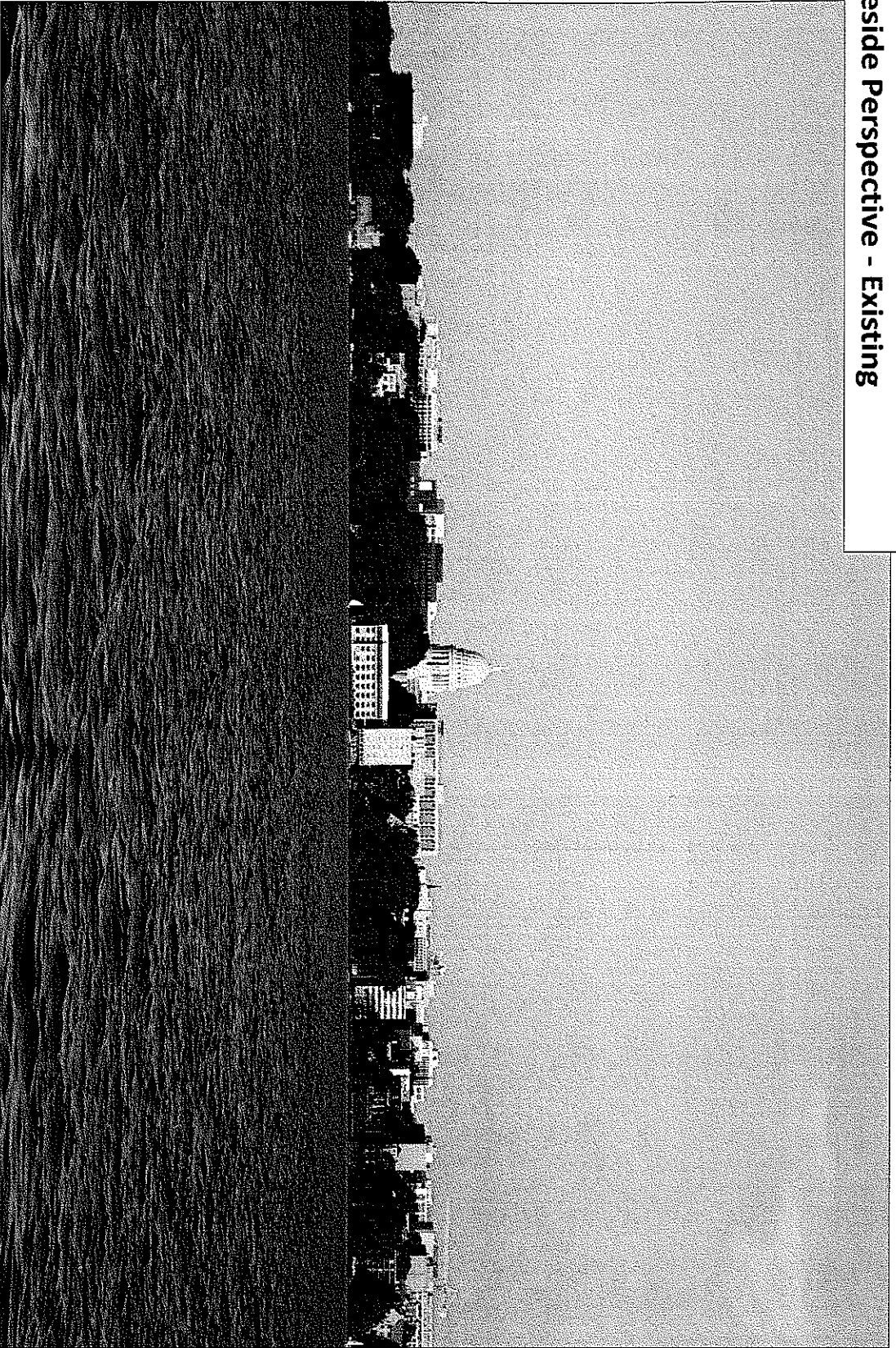
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VIEW PERSPECTIVES



Lakeside Perspective - Existing

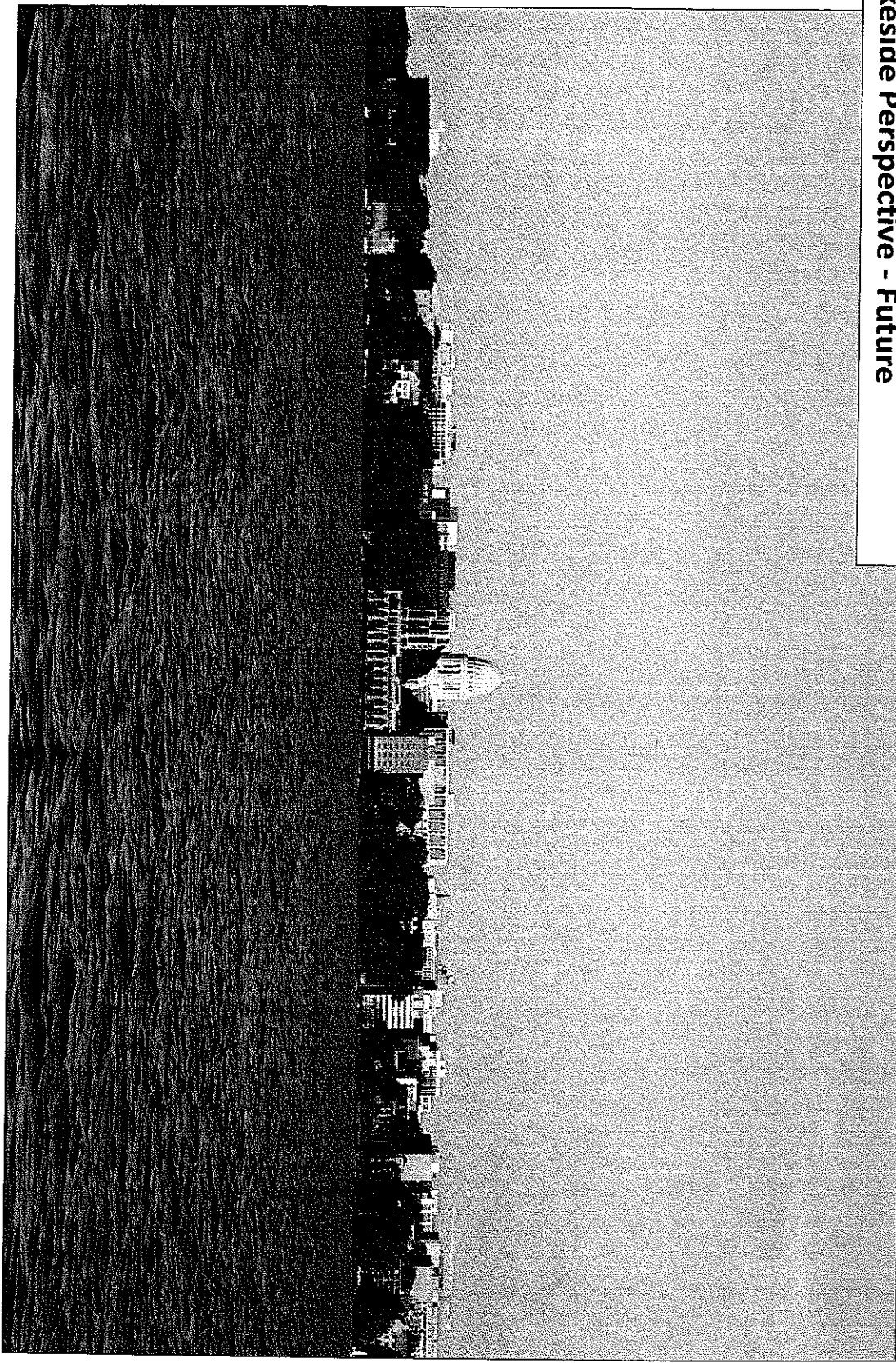


 **Landmark**

**Mansion Hill Guideline Criteria for New Development
View Perspectives**

The Edgewater Hotel

Lakeside Perspective - Future

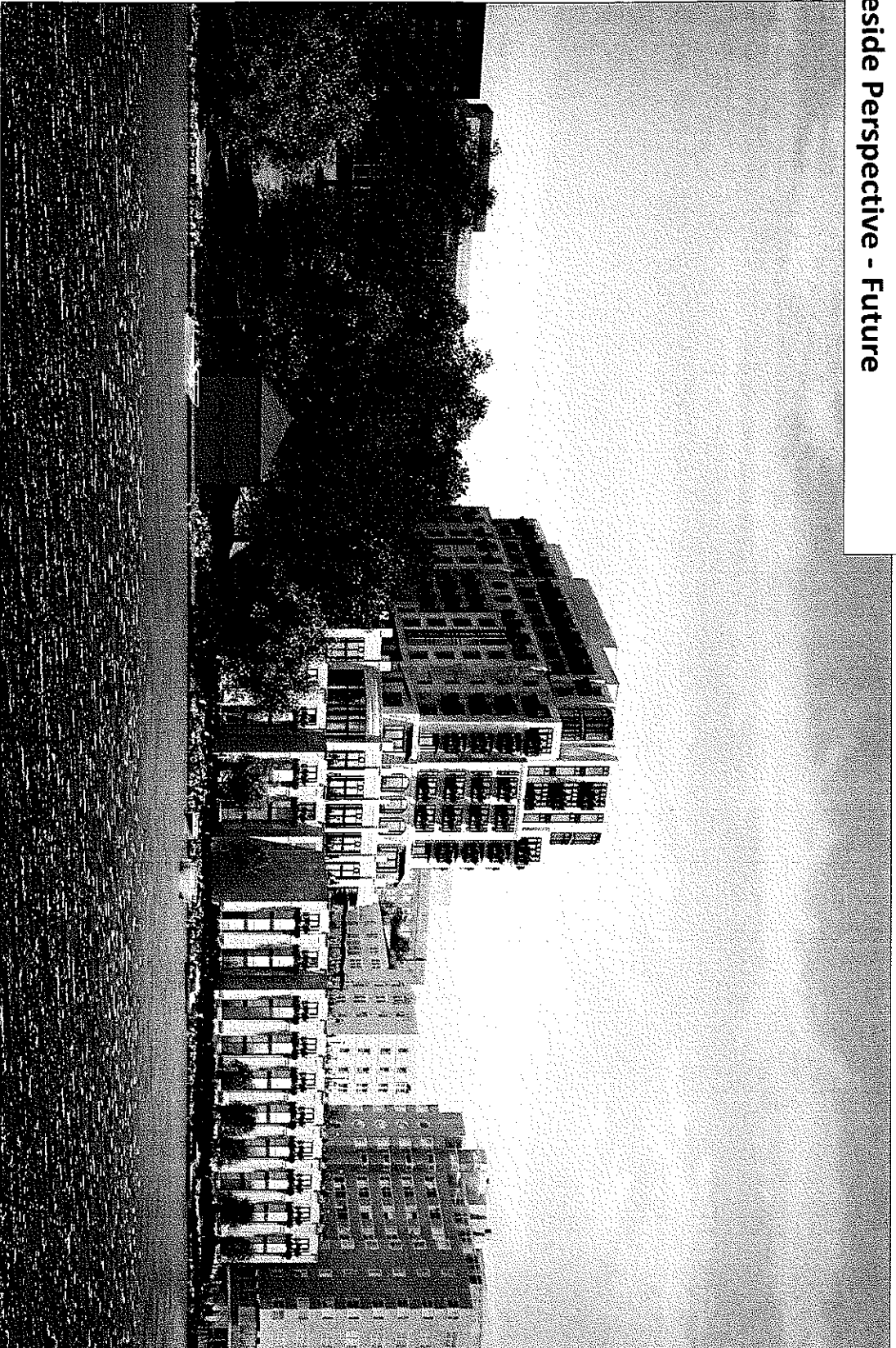


Landmark 

Mansion Hill Guideline Criteria for New Development
View Perspectives

The Edgewater Hotel

Lakeside Perspective - Future

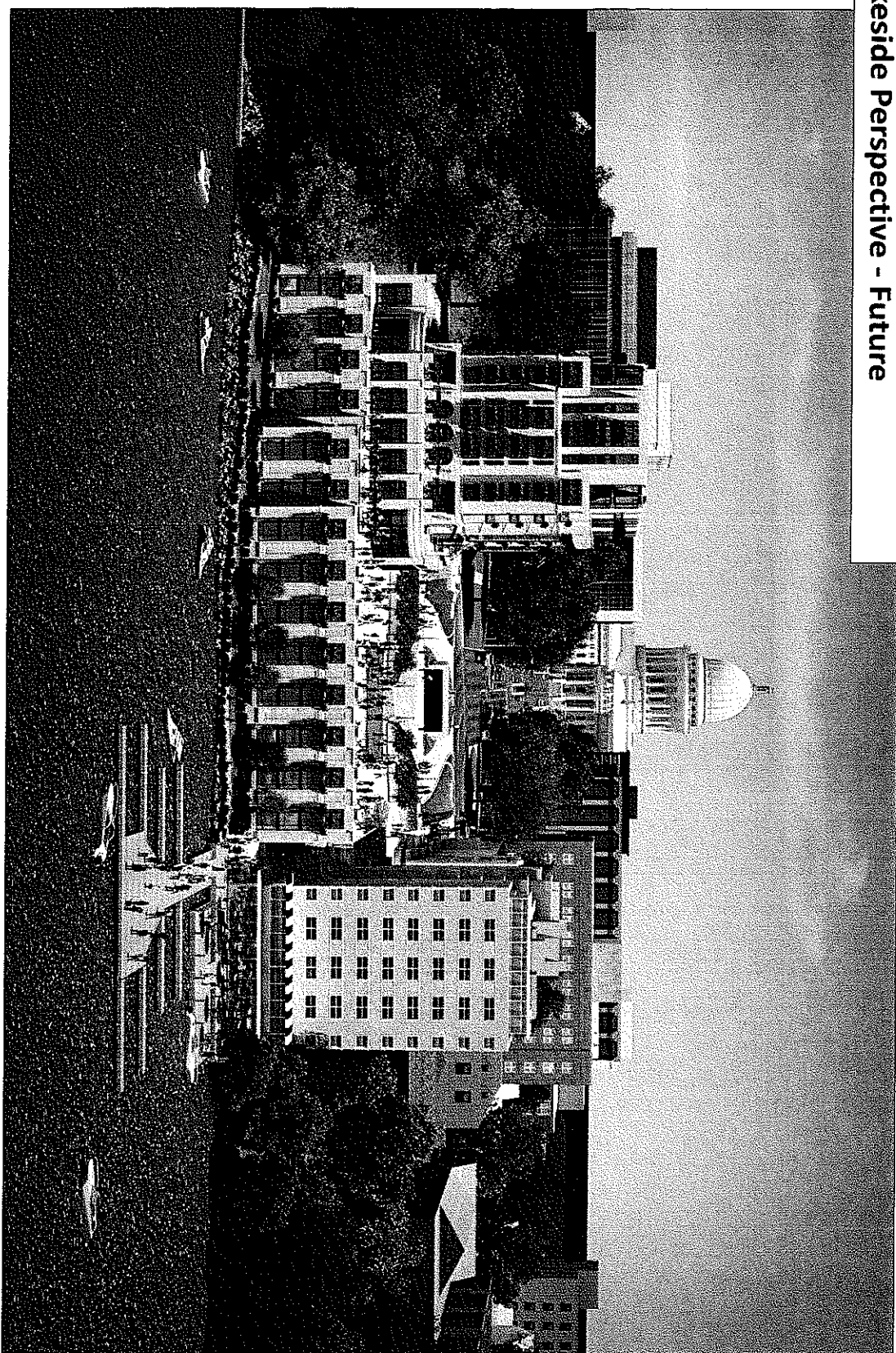


Landmark 

Mansion Hill Guideline Criteria for New Development
View Perspectives

The Edgewater Hotel

Lakeside Perspective - Future



Landmark

Mansion Hill Guideline Criteria for New Development

View Perspectives

The Edgewater Hotel

Union Perspective - Existing



Landmark 

Mansion Hill Guideline Criteria for New Development

View Perspectives

The Edgewater Hotel

Union Perspective - Future



 Landmark

Mansion Hill Guideline Criteria for New Development
View Perspectives

The Edgewater Hotel

Wisconsin Avenue Perspective - Existing



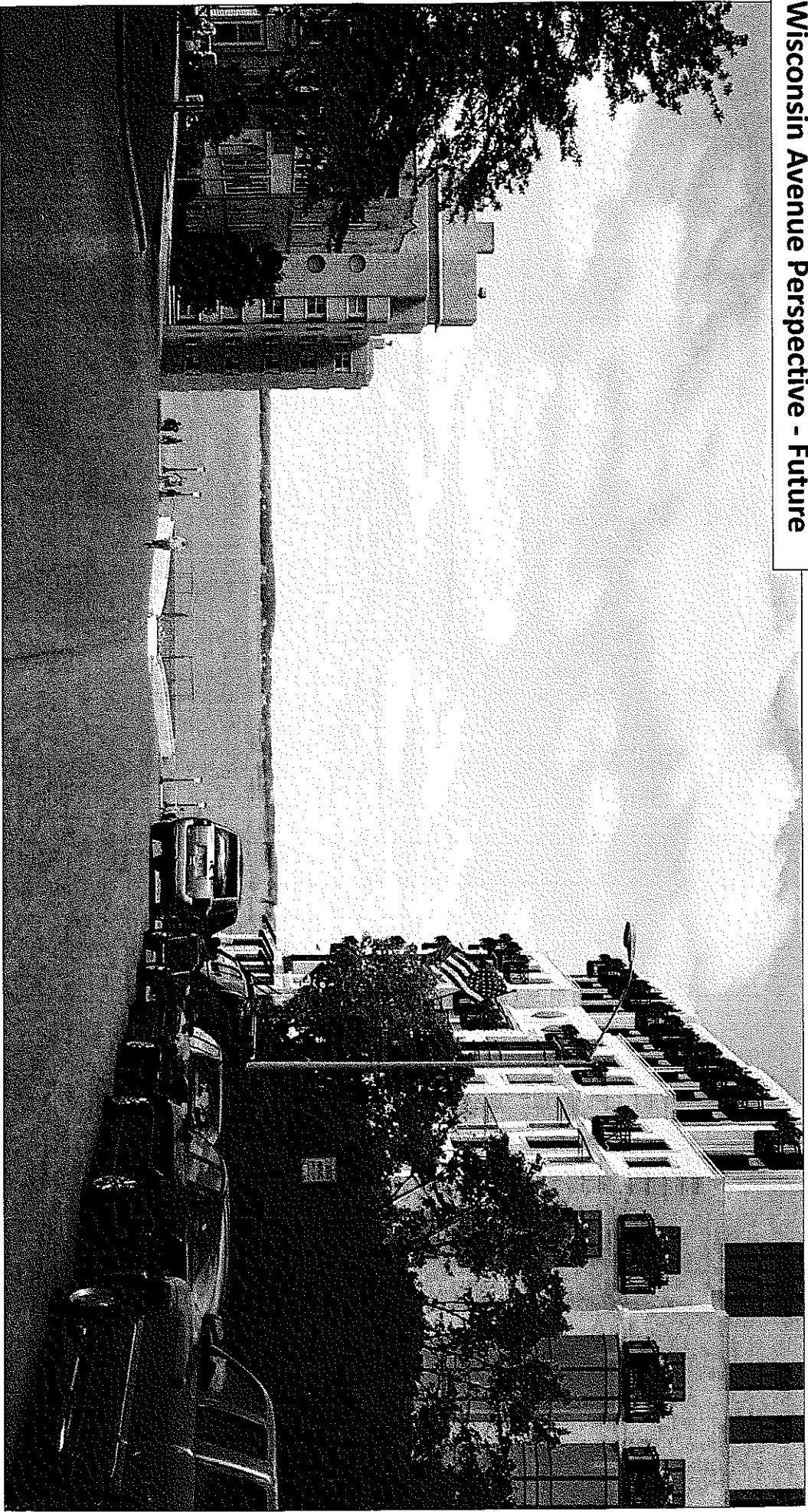
Landmark 

**Mansion Hill Guideline Criteria for New Development
View Perspectives**

The Edgewater Hotel



Wisconsin Avenue Perspective - Future



Landmark 

Mansion Hill Guideline Criteria for New Development
View Perspectives

The Edgewater Hotel

Langdon Street Perspective - Existing



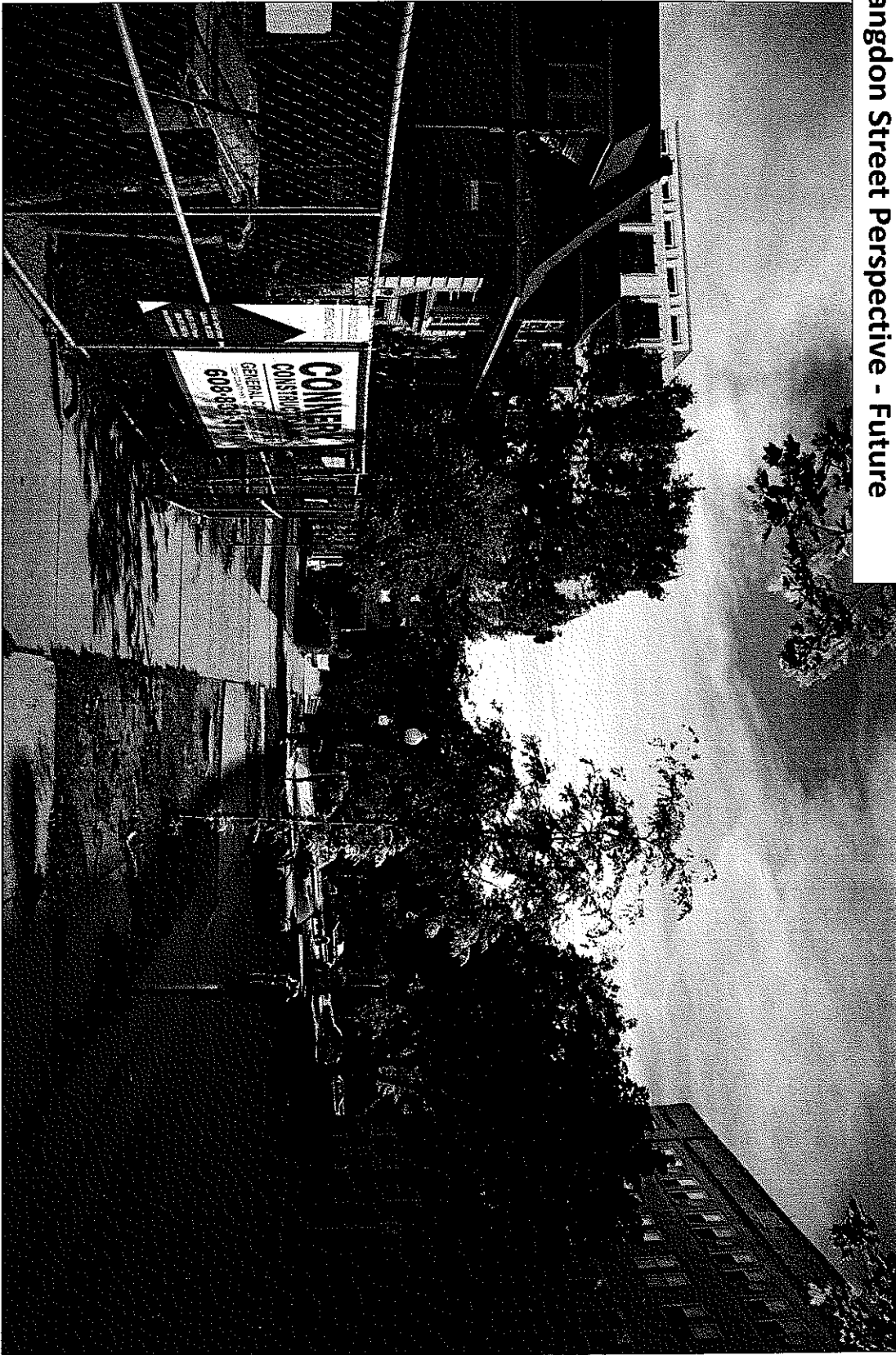
 Landmark

Mansion Hill Guideline Criteria for New Development

View Perspectives

The Edgewater Hotel

Langdon Street Perspective - Future



Landmark

Mansion Hill Guideline Criteria for New Development
View Perspectives

The Edgewater Hotel

Langdon Street Perspective - Existing



Landmark

Mansion Hill Guideline Criteria for New Development
View Perspectives

The Edgewater Hotel

Langdon Street Perspective - Future



Landmark 

Mansion Hill Guideline Criteria for New Development
View Perspectives

The Edgewater Hotel