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I would like to share my thoughts as I have reviewed the Downtown Plan and listened to discussions of committees and others interested in the plan. My comments are presented in two parts; first on the broad conceptual aspects of the plan followed by some specific suggestions regarding the plan's Objectives and Recommendations.

Why plan?

Just over one hundred years ago Madison was a city of just a couple of square miles with a population of 25,000. That is when John Nolen arrived in Madison and planning for the downtown began. Today we are considering a plan for just the one square mile of the city that was the focus of Nolen's efforts one hundred years ago. Today the population of this area is just under 25,000. The similarities are striking.

Comparing Nolen's points of emphasis to the keys in the current downtown plan there is also a striking similarity. The fundamental assets that form the basis for continuing to enhance the great place that is downtown Madison echo though both plans. The lakes as an asset and improving access to them, the Capitol and preserving views through limits on building size, State Street, the University, cultural centers, increasing park space, street trees, undergrounding utility wires and seeking out the natural topographic conditions are all aspects of both plans.

Consider just two comments from Nolen's *Madison a Model City*:

The first need is to control the upbuilding around Capitol Square. At the present time, no special restrictions are placed upon this property and yet it is of the utmost importance that not only the height but the architectural character of all buildings around this square should be reasonably regulated; not to such an extent as to interfere with the effective use of the property by private owners, and yet so as to protect the large interests of the public in this locality. Action should be taken without delay

... the public are practically excluded from the use and enjoyment of the Madison lake shores. This is not right and never will be. A comparatively few individuals possess and now monopolize one of the great natural features of Madison which should belong to society and upon the free use of which the welfare of society ultimately depends.

Nolen's stated goal was to "achieve the practicable ideal". What is our goal? Is it to maximize the tax base, create a large employment base, reduce development in other portions of the city – particularly the periphery, move more vehicles through the isthmus, increase the residential population or perhaps to raise the overall happiness quotient of Madison's residents?

I think the plan's chapters identify our goals; celebrate the lakes, economic engine, quality environment, livability, strong neighborhoods, transportation choices, cultural, historic and recreational resources. The challenge is to create the proper balance and not to lose or degrade any of the assets that create this opportunity. For these assets would likely not be practicable to replace in the future should we error today.

Plans are a community's shared vision of the future. Plans establish expectations and provide direction. Plans give people confidence to invest in their properties be it a business or a residence.

In this way plans provide for predictability because certain land use considerations are established at the front end on a broad scale so that these items are not repeatedly brought up on a project by project basis. This predictability is part of establishing an efficient process. Plans also establish a basis for compatibility within the built urban environment. This can be compatibility with the current setting or with the envisioned setting of the future. In areas where change is anticipated the plan establishes a basis for considering the compatibility of a proposal with the future vision. This allows for creativity yet provides a framework that gives property owners the assurance needed to invest.

Scale & Mass

The topic of scale and mass of buildings, as you are well aware, has been a key element in discussions of virtually every new proposal in the downtown for at least the last decade. This can become a time consuming costly enterprise for all involved; developers, residents, commissions and staff. The process has become inefficient and often unpredictable. Property owners wishing to develop a parcel spend time trying to figure out what might be possible while other property owners, residents and users of the downtown look for reasonable expectations of what might occur within their neighborhoods. How much does this uncertainty contribute to a perception that development downtown is difficult?

The Downtown Plan addresses this through building heights, setbacks and step backs. The plan makes these characteristics the fundamental norm which cannot be casually changed. This takes a grand vision approach rather than an individual proposal spot zoning approach.

When the conditions merit there remains an option to change these limits through a zoning ordinance change not much different than today's Planned Unit Development process. This is more appropriate than the Conditional Use process. Conditional uses are allowances based on predetermined options that are identified within the zoning code not changes to the code itself.

There appears to be broad support for Objective 3.1 to preserve important viewsheds of the lakes or Capitol. Yet there are calls for flexibility in applying the stepback standards. A single infringement into a viewshed can destroy it. And allowing an exception for one site while others have met the standards is counter to the very basic premise of fairness.

The maximum building height map has been the focus of much of the discussion regarding the downtown plan. There currently exist maximum building height limits in many parts of the downtown with the Capitol view limit, the Downtown Design Zones and in the Mansion Hill Historic District. These limits have established expectations and have worked well in providing predictability for those considering redevelopment proposals. As a side note, recall that the plan states on page 41 that almost of all the development over the last 20 years would have been allowed under the current height map. This plan is certainly not more restrictive than where we have been.

Take a moment to consider what the height map proposes. An analysis of the current map shows that 40% of the area is designated for 10 stories or more. Another 10% is 8 stories. At the other end 40% of the area is noted as 3-5 stories, with one quarter of this within local historic districts. This seems like a reasonable balance while also maintaining other key assets of the downtown. (Proposed bonus stories are included in this analysis, see map in Attachment A)

Compare the maximum height map to the map of existing building height. (Attachment B) The maps use similar colors to depict the number of stories. Visually, this strikingly supports the Downtown Plan's statement that there is room to grow.

Some have argued for more height often without specifics. Just how much would be enough? Would the economy even support more development than can occur within the current limits during the lifetime of this plan? And what of the other key assets that make the downtown unique would be sacrificed to achieve this?

Others have suggested that the Capitol View Preservation Limit should be abandoned in at least one area. Who would select the lucky economic winners of this giveaway of a public good? And why would others not be similarly entitled? This could certainly become a slippery upward slope.

Perhaps the most disturbing suggestion that has been put forth is that the Downtown Plan should "Establish no maximum building heights." My first response would be if we follow this suggestion why should we have a plan at all? Secondly, if there should be no height limits downtown, what then is the rationale for having height limits anywhere in the city? So next to a home in Nakoma I can build 6 stories? Or in the Cherokee area a 10 story building is acceptable? Would not the same rationale apply in these areas?

Others have suggested that while the plans allows areas with 5-8 story height limits this is a dead zone in terms economically feasible construction. A list of projects completed in the central city within the last 10 years would suggest otherwise. These 21 buildings range in height from 5 to 8 stories and include both residential and commercial occupancies. (Attachment C)

Density

The Downtown Plan is for 1 sq. mile of the 85 sq. miles that make up Madison. It is the core of the city and when people identify with Madison it is likely to be with some aspect of the broader central city not just that area bounded by the arbitrary demarcations of the Downtown Plan. This core is a mix of government institutions, educational facilities, commercial workplaces, entertainment opportunities, retail outlets and a mix of residential types. All of these components are important. The enhancement of all of these components is necessary to a thriving central city. The degradation of any one will significantly impact the viability of the downtown.

The downtown is an area that should, has and will continue to see new development. But the downtown is not the only area in the city that will need to see new development to keep the city vibrant. To reduce the outward spread of the city many areas will and are seeing increased development. The area within the Downtown Plan must be seen within the larger context of the central city which includes significant potential for new development along E. Washington, S. Park and Regents St. This one square mile in the Downtown Plan cannot stop urban sprawl on its own.

Throughout the three plus years that the Downtown Plan has been evolving there have often been comments about the need to increase density and the current plans speaks several times of "higher density" buildings. Unfortunately there has been insufficient discussion about what is meant by density and there is no common reference to what this means. Higher than what? The Objectives relating to the Bassett District and Johnson Bend District both speak of "higher

density". The same term in these two objectives likely has a quite different meaning in terms of absolute numbers.

What is density? Density of what? Housing units, bedrooms, expected number of occupants (condos v apartments, law firm v call center), square feet of office, office cubicles? Or is the intent the density of the buildings themselves? Zero lot lines, no setbacks, reduced requirements for open space can all increase the density of the built environment. Density is a measurement, it needs units of some sort to be a useful word in our discussions.

The 2010 census data shows that population density on downtown blocks is 3 -10 times higher than the immediately adjacent areas and many more times higher than the norm for the balance of the city. (Attachment D) What population density are we striving for? What market size is necessary to support what types of retail? What density supports what mass transit options? Does all of this density need to be within the somewhat arbitrary confines of this plan? Or might the broader central city be a more useful area to consider. Unfortunately the conversation has been sorely lacking of this information.

Staff estimates that the plan provides opportunities for infill and redevelopment to provide 4000-5000 new residential units and 4-5 million square feet of new commercial development on parcels of at least one half acre. (p. 27) These totals are far in excess of what is required to meet the benchmarks proposed in Appendix D of the plan.

In fact density of whatever sort may not actually be the appropriate criteria for achieving many plan goals. Scale and mass seem much more important to how a development is experienced by people in the area than the actual density of the activities within the building.

Where we are

Compared to other capitol cities around the country we have been doing something right. When traveling I make it a point to visit the Capitols in other states. In any number of cities there are dead zones around their capitols. (Nashville; TN, St. Paul, MN, Jefferson City, MO.) Fortunately downtown Madison has a vibrant mix of activity for blocks surrounding our capitol. In other cities their capitol is isolated and lost in a sea of taller buildings, not celebrated as the home of their democracy.

Prior planning efforts have not always led us in the direction of creating a vibrant downtown. The 1970 plan that would have erased the First Settlement district and its surroundings for a

Government Center that would be a ghost land after 5 PM. Or the proposals to cut University Ave. through the Mifflin area to W. Washington Ave or the thoughts of an expressway through downtown. Errors are possible, avoiding them is critical. Will we or our descendants look back in 20, 50 or 100 years at our expression of the practicable ideal as we look back to Nolen's vision?

The Downtown Plan and the revised Zoning Ordinance to follow provide for a set of shared expectations. This gives people the confidence to invest in their properties of any type. Just like a homeowner in a new subdivision on the edge of the city or a retail development along Monroe St. have expectations that their neighborhoods will continue to be compatible with their investments, anyone who invests in the downtown is looking for similar assurances.

As you consider the Downtown Plan I urge you to keep in mind the diversity of uses and participants that are part of maintaining a vibrant urban center. I encourage you to see the plan as a shared vision for the future intended to guide the evolution of development in the downtown. A plan that establishes a framework for moving forward without demanding uniformity but provides predictability for those who are investing in the downtown. The current version of the plan does a good job of this.

Thank you for your consideration,

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Enclosures: Specific comments
Attachments A-D

Specific Comments

Celebrate the Lakes

p. 13 Recommendations 1-3 have been part of every plan since John Nolen. These should be noted as high priority lest another 100 years passes without their full implementation.

p. 15 & 16 while the images are meant to be illustrative why would bump outs on land bridges be over the roadways with their noise and exhaust? Establish seating areas with views to the lake!!

p. 16 Broom St. Gateway needs much more than an "enhanced dog park" . One suggestion is to raise the area so it is above the roads rather than below. This would be more enjoyable for the user and more visible for those entering downtown. Possibly build over railroad.

Strengthen Economic Engine

p. 27 Recommendation 20 – the existing buildings which exceed the proposed height limits that would be allowed to be redeveloped at the same height should be articulated.

p. 27 Recommendation 21 – "for 1960's zero lot line buildings allow up to 5 stories for redevelopment or 6 with setbacks." Does this trump the max height map? Where are these buildings located? Perhaps it would be best to identify specifically which buildings are included.

Ensure a quality Urban Environment

p. 35 Recommendation 36 – "establish design standards ... interesting and varied tops" The real challenge here is articulate clear standards that can be evenly applied by decision makers. Recent experience with bonus stories in a downtown design district has not resulted in exceptional design.

p. 35 Objective 3.1 - The EDC has suggested that premier view corridors should be preserved and others be noted as secondary. The map on page 36 only identifies premier corridors. If the EDC recommendation were to be adopted the Priority Viewsheds of North & South Hamilton should be clearly identified as premier corridors on the Views & Vistas map.

p. 41 Recommendation 44 Height map changes – Changes should require action by the Council. This is a change to the zoning ordinance not a change within prescribed options of the ordinance which uses the conditional use process.

p. 42 "height is measured from the highest point of a front lot line along a street adjacent to the site" add for clarity - the highest point of elevation of the existing grade.

p. 48 – ULI has suggested for Downtown Core a separate Neighborhood Association including building owners. How does including building owners make it any more "belong to the city as a whole"? The Downtown Core area on the map on this page includes entire blocks that are wholly residential. As used on this map the Downtown Core is not defined by use but by scale of buildings.

p. 53 – Objective 4.4 referring to the Bassett area speaks of "higher density" buildings but there is no reference to what this means. Higher than what? On the next page Objective 4.5 in reference to the Johnson Bend area also speaks of "higher density". The same term in these two objectives likely has quite different meanings in terms of absolute numbers. Some clarification now would be useful down

the road as the plan is interpreted and referenced. Recommendations 78 and 87 also use the term “higher density” as does Objective 4.8.

Enhance Livability

p. 51-53 over the course of discussion on this plan I have become rather ambivalent with regard to the proposed options for the Mifflin area. Certainly the area could experience a renaissance similar to what has occurred in the Bassett area over the past decade. Alternatively this change could involve larger scale buildings. What seems clear is that the focus on student oriented housing is like to change.

On the other hand I am not ambivalent with regard to the need to preserve the open tree lined approach to the Capitol along W. Washington, particularly in the 400 & 500 blocks. The scale of the existing buildings works well in creating and enhancing this spacious sense of approach. In other blocks where larger scale buildings have been constructed this sense is lost. The openness is not solely the result of the broad terraces. The buildings are set back creating a front yard, open porches on most buildings further move the mass of the buildings away. These blocks are a mix of residential and commercial with a mix of building types and eras. Change can continue to occur in this area in a form that does not degrade the graciousness of these blocks. The Downtown Plan provides many opportunities for additional growth and larger scale buildings. There is no need to sacrifice the beauty of these two blocks in the process.

p. 53 & 59 Recommendations 70 & 89 – Consideration of establishing Conservation Districts in Bassett and James Madison Park within those limited portions which could meet the criteria is wholly appropriate for this plan. Conservation Districts can be part of what builds strong and stable neighborhoods. These districts also provide security for those who invest in these properties.

Increase Transportation Choices

100,000 people per day come to the downtown. (p. 71) 50,000 bus boardings downtown per week. (p.75) **There’s lots of work to be done!!** If we are to change the fact that provision of parking is the driving force in designing new developments and also the major use of TIF funds changes in the available transportation options will be needed. There have been many calls for the city to provide incentives for new downtown development. Perhaps the most effective incentive would be a transportation system that reduced the need to provide a very expensive parking component into every development.

p. 85 – Langdon Mid-Block Path. Some of this path is along current narrow streets but much of it would appear to be intended as pedestrian only. Yet all of the illustrations show cars. Some additional wording for clarification seems appropriate.

The comments from the Downtown Coordinating Committee contain many appropriate important suggestions for strengthening this section which should be adopted.

Build on Historic Resources

p. 95 The plan appropriately notes in recommendations that “consideration” should be given to enhancing or expanding historic districts. There is an existing process for doing this. Historic districts have proven to be an economic driver in many communities.

Appendix C: Maximum Building Heights – Bonus Story Criteria

p. 128 Bonus Areas A & B use the phrase “exceptionally high quality building design”. This may be a fairly difficult standard to apply. Suggesting that someone’s design is not exceptionally high quality does

not come easily to decision makers. Our current experience with the standard “makes an extraordinary contribution to the architecture of the area and the city as a whole” in Downtown Design Zone 2 has not resulted the type of architecture that many might have expected.

Even more problematic are the phrases “interesting building top” used in Bonus Area A and “interesting façade” used in Bonus Area B. This provides little direction for decision makers. The word interesting can actually carry a pejorative meaning when used to respond to questions of one’s opinion on a subject.

p. 129 Bonus Area C. Does the term restoration refer to the exterior or interior of the building or both? What are the standards for “restoration”? Is it for the complete exterior or interior? How long must the restored building be maintained in this restored condition? The bonus stories will presumably be there for 75 or more years. Could the restored building later be demolished as part of a different proposal? Does the restored building need to be within this bonus area?

p. 129 Bonus Areas D & E. Many of the same comments and questions from Bonus Area C also apply here. For these areas the historic property must be “on or near the building site ...”

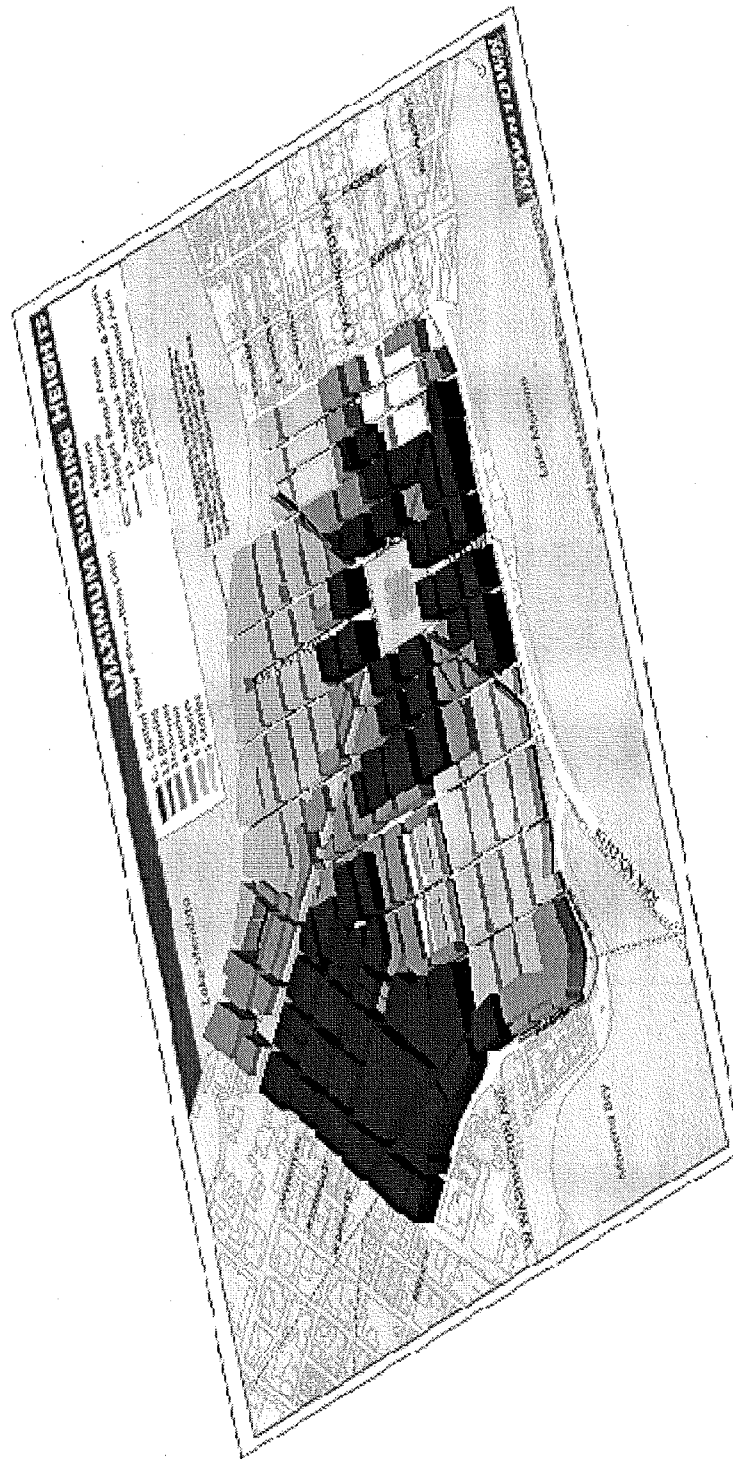
Suggestions that bonus story criteria should be considered only “were applicable” or “when feasible” miss the basic concept that these are intended as a financial incentive to encourage projects that produce specific public benefits.

Appendix D: Benchmarks

Benchmarks can be an effective tool for assessing how the plan is effecting change in the downtown. This plan is certainly not the only factor that will affect change.

The place for review of the effectiveness of the Downtown Plan is with the city’s lead committee on planning the Plan Commission not with the Economic Development Committee as some have suggested. The Plan Commission balances a range of objectives and considerations in their actions. As the Economic Development Committee has shown in several of their recommendations their interest is to “maximize economic development”.

Attachment A – Analysis of the Maximum Building Height Map



Proposed Height Schematic

Downtown Madison

January, 2012

Heights shown at double scale for graphic clarity

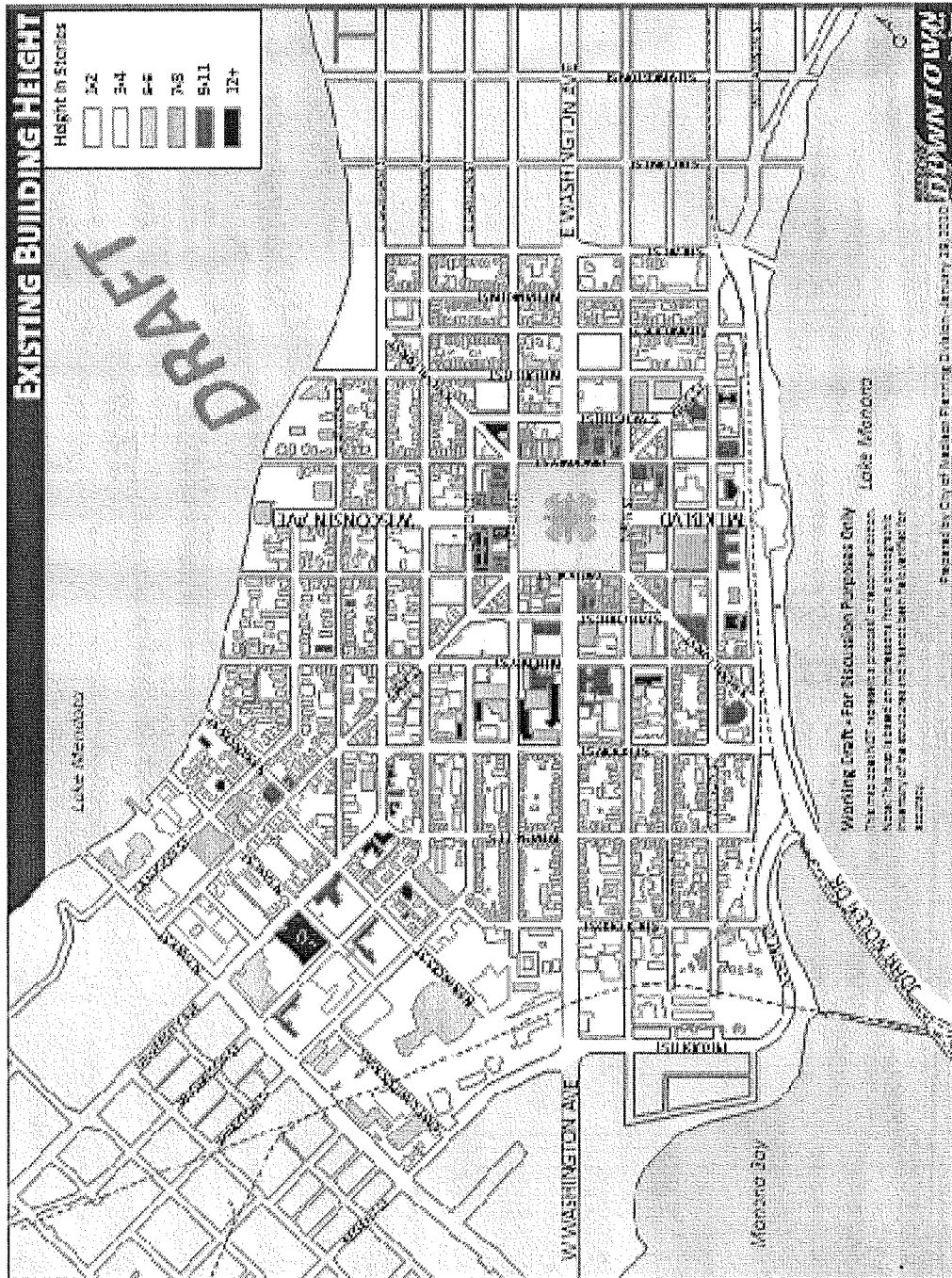
Volume calculations assume 10' floor height

Accuracy ±3%

prepared by John D. Harbers

Stories	Count	Area	% of Total A	Volume	% of Total V
3	9	571,304 sf	3.5 %	15,378,475 cf	1.4 %
4	43	2,673,769 sf	16.0 %	92,374,939 cf	8.5 %
5	25	3,055,593 sf	19.0 %	137,094,490 cf	12.6 %
6	44	1,645,147 sf	10.2 %	89,568,783 cf	8.2 %
7	2	214,099 sf	1.3 %	13,470,790 cf	1.2 %
8	27	1,819,121 sf	11.3 %	130,579,914 cf	12.0 %
10	35	3,423,313 sf	21.3 %	307,164,553 cf	28.3 %
12	24	2,799,857 sf	17.4 %	307,474,519 cf	27.9 %
TOTAL	208	16,102,196 sf		1,086,044,951 cf	

Attachment B – Existing Building Heights



Attachment C – Recent Buildings in the 5-8 Story Range

Park Regent Apartments	4 N. Park St.	6 story mixed use
Monroe Commons		5 story mixed use
Dayton & Charter	210 N. Charter	6 story mixed use
Ogg Hall		6 story dormitory
Collegiate	515 N. Lake St.	8 story mixed use
Mendota Ct.	621 Mendota Ct.	8 story apartments
Langdon St. apt.	614 Langdon St.	7 story
Langdon St. apt	621 Langdon St.	5 story + loft apartments
Langdon St. apt	625 Langdon St.	7 story
Butler Plaza		6 story + loft mixed use
Butler Apartments		6 story + loft apartments
Hamilton St. Apartments		6 stories + loft apartments
Depot Building	2 S. Bedford	5 story mixed use
Dayton St. Apartments		5 story apartments
Washington Court Apartments	538 W. Washington	5 stories + loft
Capitol Lakes Retirement	333 W. Main St.	5 story apartments
Park Terrace	45 N. Randall	6 story apartments
Humbucker	1216 Spring St.	8 story apartments
Newel Smith Hall	35 N. Park St.	6 story dormitory
UW Welcome Center	21 N. Park St.	7 story mixed use
W. Lakelawn	229 W. Lakelawn	5 story apartments
Johnson & Bassett	454 W. Johnson St	9 story hotel and retail

Attachement D – 2010 Census population by block in the downtown

