

AGENDA # 4

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: November 4, 2020

TITLE: SUBSTITUTE. Creating Sections 28.022 - 00468 of the Madison General Ordinances to change the zoning of properties located at 1-19 North Pinckney Street, 120 East Washington Avenue and 22 North Webster Street, 4th Aldermanic District, from DC (Downtown Core) District to PD(GDP) Planned Development (General Development Plan), and creating and 28.022 - 00469 of the Madison General Ordinances to change the zoning of same from PD(GDP) Planned Development (General Development Plan) District to PD(SIP) Planned Development (Specific Implementation Plan) District. (62137)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Janine Glaeser, Secretary

ADOPTED:

POF:

DATED: November 4, 2020

ID NUMBER:

Members present were: Cliff Goodhart, Chair; Lois Braun-Oddo, Tom DeChant, Jessica Klehr, Shane Bernau*, Syed Abbas, Russell Knudson, Christian Harper.

*Bernau recused himself on this item.

SUMMARY:

At its meeting of November 4, 2020, the Urban Design Commission **RECOMMENDED APPROVAL** of a rezoning for property located at 1-19 North Pinckney Street, 120 East Washington Avenue and 22 North Webster Street. Registered and speaking in support were Brad Binkowski, Mark Binkowski, David Jennerjahn and Tom Daly, representing Valerio Dewalt Train Associates, Inc.; Patrick Sweeney, Robert Lewin and Eli Judge.

Registered in support but not wishing to speak were Kristin Dewey, Londa Dewey, Jennifer Winding, Cera Fass, Brad O’Loughlin, Jessamyn Roll, Frank Gorham, Grant Frautschi, Fred Groth, Paul Muench, Leah Sevcik, Susan O’Loughlin, Adam Griep, Maiken Westphal, La Marie Beauty, Barb Herro, Bob Winding, Nina Wagner, John O’Loughlin, Michelle Hammerling, Craig Hammerling, Tia Endres, Nick Schuch, Tom Mutch, Kayla Arnold, Jeffrey Tubbs, Justin Mitten, Nicole Plautz, Katie Gorder, Anthony G. Sullivan, Erika Freeman, Lynn Schulte, Anuj Dubey, Carly Beckman, Tyler Franklin, Macy Wasson, Justin Derge, Wade Porter, Eric Mergen, Louis Olson, Sara Michalski, Kenn Kosowicz, Erik Ivers, William Schlie, Jason Jones, Brian Malich, Jill Carozza, Jon Powers, Cody Smith, Peter Saindon, Josh Baysinger, Matthew Premo, Jim Martin, Mark Premo, Colin G. Redman, Dan Zurawik, Pierre Rideau, Alex Johnson, Ben Hager, Derek Burdick, Jim Yehle, Steve Bunge, John Walsh, Tessa Lee, Anthony Shepherd, Deana Turner, David Beck-Engel, Aaron Zutz,

Hannah Winch, Ryan Jacobson, Sean Hart, Matt Breunig, Luke Kiefer, David Chmielewski, Rich Lynch, Brian Hornung, Ryan Thinnis, Charles Schuett, Kent Miller, Michael Luther, Chris Helt, Charlie Kutschenreuter, Jason Mattila, Dave Branson, Tyler Brovelli, Paula Gillingham, Jonathan Winch, Jon Winch Jaclyn Weitzel, Jim Marshall, Dan Blake, Ronald G. Thielen, Kyle Sutter, Michael O'Shea, Keith Saeger, representing Wisconsin Construction Laborers; Mitch Larson, Tom Olson, Shannon Meier, Eric Lewis, Camilla McKay, Hunter Muthig, Tim Deminter, Ben Mau, Chan Stroman, John C. Desens, Mike Higgins, Dean Hackl, Steve Gay, Crystal Ann Heric, Corey Neuhauser, Neil Grman, Andrew Townsend, Keith Barman, Brandon Vong, Nick Fass, Chad Eschler, Patrick Healy, John Tucker, Steve Robinson, Anthony Anastasi, Angie Curtis and Kirk F. Stantis, representing Gerald A. Bartell Community Theater, Inc.

Registered in support and available to answer questions were Andrew Townsend, and Justin Zampardi, representing Vierbicher.

Registered and speaking in opposition were Jose Luis Granados, Sara Granados and Bridget Maniaci, representing Eno Vino; Victoria Ortiz, Jeff Lenz, Josh Wilcox, Andy Inman, Jennifer Cameron, Robert Procter and Craig Spaulding.

Registered in opposition but not wishing to speak were John Smithe, Emily Yslas, Dustin Dresen, representing North Central Group; Matthew McMahan and Joellyn Stewart.

Registered neither in support nor opposition and wishing to speak were William White and Liz Henry.

Registered neither in support nor opposition and available to answer questions was Joanna Rouse.

Binkowski began the presentation noting the goal of renovating the American Exchange Bank to be the highlight of the project, to expand it and continue to do a project that can revitalize the Capitol Square. The site is currently devoid of activity. This project will capture critical markets significant to downtown, and requires putting parking below grade that would be available for anyone off hours on evenings and weekends. They created a parking entry on Webster Street to go far enough under the retail space at the sidewalk level. They created varied floor plates based on current market trends. Plans show a step down on upper floors as something new to the downtown market that allows them to create dramatic stepbacks, and outdoor roof terraces creating 22,000 square feet of urban landscape. A redesign of the tower minimized the scale and massing, reducing the height from 100 to 87-feet and stepped back further to make the bank the focal point. The curve is intentional to lead you to the vistas of the Capitol and changes the read of the building, giving it a much more horizontal feel. He shared footprint comparisons and noted that the upper floors are now stepped back almost 24-feet. Jennerjahn discussed the lower stories and design of the block as it responds to the context. Architectural expressions reinforce the street façade to engage a lively pedestrian environment. Five new ground floor retail entrances on this section of the street and one office building lobby opens to the Square. This creates a active gateway on E. Washington Avenue and Webster Street, forming an architectural relationship with neighboring buildings. Street level views show an upper story glass curved portion, and how it relates to more solid portions of the AC Hotel and steps down in scale as the development stretches north. Daly noted they have created metered façades complementary and buried in scale to bring opportunities for retail and life on the street. The large glass that occupies the first floor sits right in front of retail opportunities that are interconnected to the service core back inside the building. The Webster/E. Washington corner has a two story lobby entry, with pedestrian scale elements such as planters and places to sit. Awnings, canopies, recesses and door hardware have all been used to enhance the pedestrian experience and recall the traditional scale of the historic Capitol Square. Parking and loading is minimized on Webster Street, where they also have an entrance to a bicycle storage facility for 200 bikes. This portion of Webster has very little going on at the moment. Most mechanical equipment exists on the 2nd and 3rd floors inside the building. Others are located between two elevator overruns

to minimize elevator and rooftop screening required. Building materials include limestone panels, terra cotta panels, high efficiency glazing, rich in texture and high quality to connect to the historic buildings and complement each other.

Jose Luis Granados spoke in opposition, appreciative of the Commission's work. He has significant concerns with the second to none view at Eno Vino, as a landmark of Madison. There are 130 employees whose jobs will be affected if this project goes as planned. Servers are really fighting for their tips. While he is not against the project, it could be done so much better while helping everyone out. This is their living. He noted that Madison has been a welcoming opportunity for him, he has been with Eno Vino for 16 years and worked his way up to be a part owner. You cannot get this view from anywhere in the City.

Sara Granados spoke in opposition, noting that the AC Hotel building was granted bonus stories based on excellence in design with the top floors as public spaces. This would negate the precedent of that approval and get rid of the only public access to the Capitol Building that they are proud to be custodians of. In 2019 alone over 170,000 people visited to see the view from here. She has been proud to donate the space for fundraisers and partner with charities. The Commission should hold this project to a higher community design standard that does not affect the experience of people who use this space.

Bridget Maniaci spoke in opposition, noting how important it is to think about the scale and scope of the project. A change.org petition was started to let people know about what was happening; they are getting feedback with over 1,300 signatures at this point. The PD standards set very specific zoning for this site and require it to be held to a higher, better use of land. Make sure this works in the best interest of the public. She sent over detailed memos to staff, highlighting conditional use standards regarding the Capitol View Height, and the lack of definition of long views in the ordinance.

Robert Lewin spoke in support, having served on the neighborhood steering committee for this project. He is 100% in favor of downtown revitalization, we need infill rather than to take farmland. We want more jobs to be downtown and more places to live downtown. He strongly supported the AC Hotel project when that was being discussed. What an improvement that has been to this neighborhood, this project complements that. Views from the restaurant are going to be changed, not obliterated, what was a free view now will be on one side unobstructed and partially obstructed on the other side. There will be more customers for this restaurant with this new building.

Eli Judge spoke as the President of Capitol Neighborhoods representing most of the Downtown Core. Because of the impact of this project, they did not limit membership on the steering committee and used every means to get the word out. They have provided a written summary and unanimously urge approval, noting the project is contextually appropriate and complies with Downtown Plan and UDD guidelines. It will be a dramatic improvement in one of the most underdeveloped entrances to the Square. He feels sympathy to Eno Vino, however after discussion the steering committee felt ULI already made concessions and did not feel additional changes should be made.

William White spoke, noting this is a very difficult situation. He was complementary of ULI, and thinks they have done a great job of revitalizing the Square and preserving landmarks. Also Eno Vino has done a great job in terms of providing restaurant and bar service to the public. He thinks personally there has to be a way that ULI can accommodate Eno Vino and a win-win can happen.

Jeff Lenz spoke as the owner operator of the AC Hotel. He is not trying to kill this project, and support the development of the uses that create jobs and other services for the hotel patrons. The project can be better, this corner is too important to not discuss protection of public amenities that were hard fought to earn. Ultimately

the AC Hotel achieved design standards to move the project forward, with feedback that pushed them to change course for a better design, including changing the program to elevate public spaces and amenities to the top floors. That led to a better outcome. Since this project was first submitted to Landmarks, other than modest adjustments noted there have not been significant changes to address deficiencies of the project.

Josh Wilcox spoke in opposition, noting GBA has been part of a number of downtown projects. This is a very unique project for the City, particularly this part of downtown. While he is supportive of the core of the development, it needs adjustment to the tower element. His team studied the latest design to understand the impact to the immediate neighborhood, showing how it affects views to the Capitol Dome and base. He detailed what the adjustment would be with the tower mirrored to the north, allowing for more viewsheds. The core building changes seem solvable with reprogramming. He shared the impact of how it interfaces via 3D models using 11 locations in the building, and feels confident with how these are proposed.

Andy Inman spoke in opposition, noting the adverse impact with either proposal and the need to preserve public views. The modified proposal GBA came up with shows significant impact on the public amenity that really preserves that public amenity that has become such an iconic view for City residents, visitors, and such a great location for many users of that space to enjoy the Capitol view. He referenced the PD standards and asked the Commission refer this application so ULI can work with the public and adjacent property owners to preserve the public amenity.

Victoria Ortiz spoke in opposition, having seen first-hand how hard and how much work it took to open and operate this business. This offers such a great view and a different of perspective of Madison you otherwise wouldn't have access to. It would be such a great loss for Madison to have this view blocked, and the impact it would have on the Granados family and their employees. She hope the UDC tries to find a solution or compromise.

Jennifer Cameron spoke as general manager of Eno Vino and a 25 year Madison resident. This is a great place to live, and promoting it as a great place to visit from a tourism perspective is important.

Robert Procter spoke in opposition, asking that this process not be rushed. There is no need to approve this tonight since it's coming back, this is the only opportunity to get this project right. Rezoning a property is a legislative decision not the same as a permitted use. The applicant is not entitled to rezone the property. No one is arguing legal right to a view, but this Commission should protect those public views on the 9th and 10th floors. Testimony tonight has established the Commission should protect the Capitol view. It's the only view available to the public, this Commission helped to create this when it approved the AC Hotel in 2015. As shown with the change.org petition, this is very important to many people, and it does not meet the PD standards. Address how rooftop mechanicals will look, traffic impacts, provide information for long views under that ordinance.

Liz Henry spoke neither in support nor opposition and applauded ULI's efforts to continue revitalizing E. Washington Avenue as an important showcase entry. She has partnered with many downtown businesses, and with Downtown Madison to promote businesses and experiences collaboratively. Many people make the stop at the AC Hotel as one of the keystone parts of that experience. She has had people come to her business primarily due to their stop at the AC Hotel. She cited the UW Law School building as a development that has minimized and diminished the Bascom Hill view.

Craig Spaulding spoke in opposition as a bartender for Eno Vino who loves his job. He previously worked at Upstairs Downstairs Deli and Café Montmartre. This neighborhood went from an eyesore to a vibrant destination of people from all over the world. Now more than ever we need businesses that are thriving. Progress is important; smart progress is even more important. He fears for the fate of his job, the environmental

impact on the neighborhood, auto traffic and carbon footprint. The publicly accessible view has become iconic and imperative to their success.

The Commission discussed the following:

- I paid close attention to the public testimony, read the staff reports, but I'm still confused about the two different aspects of this. If we approve the first part, are we tying our hands to have more influence on the final approval of the UDD aspect? I'm OK with moving the rezone forward but not on potentially not having any say on the UDD aspect.
- I suggest we don't kick the can down the road by approving one thing if members have specific concerns. If it wasn't for the notice technicality we'd be deciding this altogether and making a combined decision.
- (Firchow) Procedurally this is advisory to Plan Commission. If there are fundamental concerns a recommendation for initial wouldn't be appropriate. If UDC has significant concerns about fundamental aspects they should cite the standard and have the option to refer.
- (Secretary) If an advisory recommendation is made, there should be a very clear list of things you would like to see when it comes back for the UDD review and approval. The development team would like to know when they could respond to the public comments.
- Unless a specific Commission member has a question with regard to public comment and would like them to respond there's no need for additional comment from the applicant.
- You saw the presentation from Mr. Wilcox with the design changes, I want to hear your feedback, and let us know what conversations you had so far with the AC Hotel, what type of accommodation you provided.
 - The before and after design showed this originally built out to the property line on the upper floors. As part of those conversations with AC that part of the redesign now steps back 24-feet on the upper floors. It really does significantly open up the views from the bar terrace lounge area of the hotel. That was done in direct response. We looked at Josh's line drawings, there are a number of fundamental issues. Because of grades we have significant challenges of inter-connecting the two office lobbies, all of the service aspects for the loading docks, and trash room for the retail spaces. It's challenging to make those interior connections work. We have concerns about the ability to have their design approvable by the Landmarks Commission. North of this site the Old Fashioned and others are all historic landmarks. We've been to Landmarks who made an adjacency ruling, shifting it would over power those landmarks. A redesign only improves the views if we were to remove a considerable chunk of the floor plate that were designed intentionally to meet the market.
 - This builds on Block 89, we helped build the environment that made Eno Vino possible. We have done our best to create a project that can work and achieve the UDC's goals for the district but we can't simply pretend that we can move a tower dramatically to the north and have a feasible solution to the site, or cut significant portions of square footage. We've already dramatically improved their Capitol view in an effort to be a good neighbor and do the right thing. Ultimately their feasibility study which is a one line drawing doesn't work. This shouldn't be referred for a marginal impact from a view from a building.
- I feel compelled to offer some solutions and speak to some potential problems. I really like the project, I'm looking at the majority of the green roof or back of the building, the accessible areas seem northwest, is that an appropriate spot to create a nice outdoor experience from a solar perspective and natural lighting perspective? That's obviously tied to where that tower is located. You've done an amazing job to integrate these historic signature façades at the lower levels and this modern tower, I think it works great. I don't understand the comment that the north tower offends the northern landmarks. I'm not seeing that as a real driver. The comment about impacts to the program inside, on a

future discussion helping us understand the challenges there with diagram perspective might offer some solutions.

- Is it your opinion that the tower is not located appropriately?
 - It might create a better solar experience for the people on those roof terraces.
- It is also the testimony in opposition that influenced my desire to see that, but I think it would be true regardless of the AC Hotel and blocking of the view there.
- Is what we're seeing tonight the final and best offer? If this is the best and final and coming back in December, we either take the decision tonight or we'd be referring for no particular reason. Is there any additional compromise design-wise that could happen in one month's time to make this more compatible with PD standards?
 - We don't believe that we can come up with a significantly different location of the tower and have a feasible project. We've put our best foot forward.
- In addition to these clever renderings that make the glass tower look like it's not there, they included some that were photo montages that gave it a much more realistic view.
- Struggling with discussing if we can't do both at once. If we can't act on both of them.
- If we're going to refer number 4 we need to be clear as to what the objections are and the conditions for returning it.
- (Firchow) It should be very specific as to what you're hoping to see out of that referral.
- I do sympathize with the hotel predicament. It's complicated by the fact that there was a request to have a public space on those upper floors with a view. But that said, it seems like it's unrealistic to expect that there wouldn't be any development in this block. Sometimes you take a risk by counting on something that may not be there in the future. I do think that the massing on Pinckney Street and E. Washington Avenue has been vastly improved with the stepback and curved element. With sympathy to the AC Hotel, I would move to approve the rezoning because it was requested by the City that they rezone for the access to the parking, is that true?
- Yes.
- The City is asking them to do something, and then for a specific reason, what's their alternative?

Bob Klebba spoke, noting that several years ago historic preservation in Madison planned to save the urban house by Frank Lloyd Wright behind the AC Hotel (Robert Lamp house). Put that into perspective given this situation.

- I still feel that by approving this we're basically rubber stamping the next step. This project is going to go forward one way or the other. I'm sympathetic to Eno Vino, their concerns are valid. I feel badly that the City and this Commission was part of the process that resulted in that restaurant being there, given bonus stories for a public amenity that is now going to be compromised. I don't think they're going to go out of business, a serious case could be made for a financial hit. I'm glad this current iteration moves back but I'm skeptical of the motivation for that. This makes for better design. I'm struck by the fact that the developers made a big point early on in their presentation that they're only using 52 or 54% of the space available up above that block, that would suggest to me that there's room to move. More compromising could happen here.
- Rubber stamping the design – I don't think we are, it still has to come back on December 2nd to address the design at that point.
- Are we approving the massing at this point?
 - Yes, making an advisory recommendation for the zoning change based on the PD standards.
- The PD standard references style, it's best to give some comments now. I'd like to hear from the team, we lost the frit on the building, I'd like to understand the intent for ceilings and window shades inside the building?

- The ceiling conditions will be a function of the individual tenant build-outs. Our recently completed 25 West Main is a glass façade. In that building we specified a standard fabric roller shade to be used in all of the tenant build-outs. We will do the same thing where we will mandate a consistent roller to be used throughout. We're heating and cooling this building through a chilled beam system, moving energy through pipes rather than duct work, this allows for higher ceiling heights.

ACTION:

On a motion by Braun-Oddo, seconded by Abbas, the Urban Design Commission **RECOMMENDED APPROVAL** of this rezoning. The motion was passed on a vote of (5-1-1) with Braun-Oddo, Abbas, Knudson, Klehr and DeChant voting yes; Harper voting no; and Bernau recused.